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REPORT

ON THE

ADMINISTRATION OF CIVIL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES

DURING THE YEAR

1890.

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Proceedings of the Hon'ble the Lieutenant-Governor of the Punjab in the Home (Judicial) Department, No. 705, dated 9th July 1891.

READ—

The Report on the Administration of Civil Justice in the Punjab for the year 1890.

REMARKS.—The number of suits instituted during the year, namely 240,679, was 2,720 less than in 1889, and 17,296 less than the number instituted in the year 1888, and in fact it is stated in the Judges' Report that the litigation of the year has been reduced below that of any year since 1877. It must be remembered, however, that previous to the close of the year 1884 there were no regular Revenue Courts in this Province, whereas a considerable number of what were formerly treated as civil suits is now disposed of by the Revenue Courts, so that the figures given in the Civil Justice Reports from 1877 to 1884 do not show the real facts when compared with those from 1885 to 1890. The decrease is chiefly noticeable in the districts of the old Mooltan Division, in Siálkot, Amritsar, Kángra and Umballa. In the Siálkot District there were 2,447 cases less than in the previous year—a decrease of 15·77 per cent. This is attributed to the autumnal fever which also caused a decrease in litigation in the adjoining district of Gujrát. There was a marked increase of institutions in the districts of Shahpur (20 per cent.), Jhelum (14 per cent.), Hoshiárpur and Gujránwála. Litigation is heaviest in the central or Sikh districts of the Province. The total value of the litigation was Rs. 2,54,59,368, or Rs. 47,54,267 more than in the year 1889, and Rs. 43,57,539 more than in the year 1888. In the Lahore and Gujránwála Districts two suits of the values of 13 lakhs and 35 lakhs of rupees respectively were filed. In respect of one class of suits only, those relating to land assessed to land revenue, has there been a decrease in value of the property in dispute. This is attributed to the operation of the rules under the Suits Valuation Act, which fix the value of suits for land or interest in land by reference to a multiple of the revenue demand instead of the estimated market value.

2 Of the total number of suits instituted during the year, 86 per cent. were for money or moveables, 10 per cent. for immoveable property, and 4 per cent. for other forms of relief. These percentages are practically uniform from year to year. The number of suits for money based on bonds, contracts, or in consideration of goods supplied, was practically the same as last year. Of these 105,394 suits were brought by bankers and shopkeepers against agriculturists as compared with 102,222 in the year 1889 and 108,724 in 1888. The District Judge of Ludhiána, whose report, to judge from the printed extracts, seems to the Lieutenant-Governor to be a good one, has carefully considered this subject, and has given several reasons for his conclusion that such suits may be expected to gradually increase in number. It is satisfactory to note that there is a marked decrease in the number of suits based on "contract not in writing"—a decrease amounting to 10 per cent. as compared with the figures of 1889, and 18 per cent. as compared with the average of the previous eight years. There is a corresponding increase in the number of suits founded on bonds, but the steady decrease since 1884 in the number of suits on *registered* bonds shows that the safeguard of registration is being less and less resorted to. The figures of the Annual Registration Reports confirm this conclusion. The number of suits founded on an "account stated" shows no tendency to decrease.

3. The total number of original suits for disposal in District and Subordinate Courts, including those pending from the previous year, those instituted during the year under review, and those re-admitted, amounted to 269,449

as compared with 272,095 in the year 1889. Two hundred and fifty-three thousand two hundred and sixty-six cases were disposed of, and the pending file was reduced from 17,101 at the commencement of the year to 16,183 cases at its close, this number being below that of any of the previous five years. The number of miscellaneous cases decided by the same Courts rose from 40,733 in 1889 to 42,742 in the year under report, the increase being chiefly due to the operation of the Succession Certificate Act (VII of 1889) under which 2,272 cases were brought in 1890 as compared with 510 in 1889. As in previous years only 30 per cent. of the cases instituted were contested, and of these three-fourths were decided in favour of the plaintiff and one-fourth in that of the defendant. The number of cases decided after reference to arbitrators is growing yearly less and is now considerably under half of the number so decided ten years ago. The District Judge of Lahore has pointed out the causes which militate against the successful working of the system of arbitration recognized by the Civil Procedure Code. With the Courts the system is unpopular on account of the technicalities and formalities with which the procedure is hedged round. To the arbitrators themselves the task of arbitration is in general distasteful owing to the imputations of misconduct or partiality with which they are liable to be assailed by the dissatisfied party; while litigants regarding as they do the delays of the procedure and the liability of the award being set aside on technical objections seldom desire to have recourse to this procedure.

4. The arrangements referred to in the review of the Report for 1889 for reducing work in Munsiffs' Courts by requiring that the bulk of the land suits shall be tried by Courts of other grades have been partially carried into effect during the year, and the Lieutenant-Governor notices with satisfaction that the number of land suits disposed of by Munsiffs has been reduced from 12,856 in 1889 to 6,931 in the year under report. The proportion of the total number of civil suits decided by Munsiffs has thus been reduced from 73·1 in 1889 to 71·3 in 1890. The Lieutenant-Governor agrees that Munsiffs should be still further relieved of land suits, such cases where the value of the subject matter does not exceed Rs. 100 being made over to Tahsíldárs. At the same time it appears that in many districts Tahsíldárs already dispose of a considerable number of civil suits other than land suits. Where then the civil judicial work of a Tahsíldár is already fairly sufficient, any addition to the file of his land suits should be compensated for by a reduction in the number of other civil suits. There is no doubt that the proper distribution of civil judicial work among the several Courts is a matter which has not hitherto sufficiently engaged the attention of many District Judges. The memorandum recorded in Appendix A of the present Report deserves the careful study of these officers, and the Lieutenant-Governor hopes that its perusal will serve to prevent the recurrence of the inequalities of distribution of civil judicial business which are noted in the returns of the year under report. The reduction in the proportion of the total number of suits decided by Munsiffs during the year corresponds with an increase in the amount of business disposed of by Assistant and Extra Assistant Commissioners. The number of cases decided by these latter officers is, however, less than in the year 1888. Honorary Civil Judges disposed of 11,560 cases during the year as compared with 11,009 in 1889. The Lieutenant-Governor again desires to record his acknowledgments of the valuable assistance rendered by these gentlemen.

5. Applications for execution of decrees fell from 209,146 in 1889 to 205,899 cases in the year under report, the decrease corresponding to the decrease in the number of suits for disposal. One hundred and eighty-two thousand eight hundred and fifty-eight applications were disposed of. The proportion of completely executed decrees is the same as in the two preceding years, *viz.*, 28 per cent. Partial executions are slightly below the figures for the two previous years, while wholly infructuous applications show no improve-

ment. There was, however, a very satisfactory increase in the amount realized both without and after issue of coercive process. The number of judgment debtors arrested decreased very largely, the figures being 4,951 in 1889 and 2,882 in 1890. Only 445 persons, however, of those arrested in 1889 were imprisoned as compared with 513 in the year under review. There is no doubt that legislation, especially the provisions of Sections 266 (*b*), (*c*) and (*n*) and 337 A. of the Civil Procedure Code, Section 33, Punjab Tenancy Act, and Sections 62 and 70 of the Land Revenue Act, has within recent years made the realization of money under decrees against agriculturists more difficult. While, however, it is the object of the Legislature to secure to the agriculturist the bare means of subsistence, and to give to the Government claim for land revenue a preference over private creditors, it is nevertheless desirable to remove all obstacles to the realization of just debts which do not depend upon the provisions of law enumerated above. One such obstacle is referred to in the extracts of the reports of the District Judges of Delhi, Ludhiána and Mooltan, *viz.*, the making away with attached property by *sipurddárs*, or persons appointed, under the rules contained in Punjab Government Notification No. 3858, dated October 3rd, 1877, to take charge of live-stock and other moveable property. Persons behaving in this manner can only be reached by a regular prosecution, which generally fails for want of proof of dishonest intention. It would perhaps be hardly feasible to alter the rules so as to require the *sipurddár* to give security for the performance of his trust, unless, as in the case of a Receiver appointed under Chapter XXXVI of the Civil Procedure Code, a fee or commission by way of remuneration were attached to the office, but, as *sipurddárs* appointed under the rules are nearly always lambardárs, it should be the duty of Civil Courts to bring to the notice of Deputy Commissioners, with whom the appointment and removal of village headmen rests, all cases in which they have been guilty of any dereliction of their duties under Section 269 of the Civil Procedure Code. Another matter which is noticed by the District Judges of Gujrát and Delhi is the absence of any provision in the Civil Procedure Code for the summary trial of persons guilty of obstruction to *attachment*, such as has been enacted in Section 330 of the Code to meet the case of persons obstructing a decree for *possession* of property.

6. The tendency of the alteration made by Act XIII of 1888 in the law of appeal to increase the appellate work of the District Courts, while diminishing the number of institutions in the Courts of Divisional Judges, is further illustrated in the returns of the year under report. Notwithstanding the falling-off in original business, institutions of appeals in District Courts are steadily increasing, the figures for the past four years being as follows:—

Year.		*Number of appeals.*	*Year.*		*Number of appeals.*
1887	...	8,413	1889	...	9,593
1888	...	8,598	1890	...	9,687

It is satisfactory to observe, however, that disposals keep pace with the increase in the income of work, and that the District Courts have been able to take up a greater number of original suits than in the year 1889. Appellate work was heaviest during the year in the districts of the Jullundur Division (except Kángra) and in Gurdáspur. The number of appeals instituted in Divisional Courts was 919 less than in 1889, a falling-off of 11 per cent. The pending file has been reduced by 1,020 cases, which is very satisfactory. The number of cases pending at the close of the year was 2,005 as compared with 3,025 at the close of the year 1889. This result has not, however, been attained without special measures, for it was necessary to appoint an Additional Divisional Judge for eight months of the year in the Amritsar Division, and an officer was appointed in the same capacity in another Division for two months. The Lieutenant-Governor has again to advert to the variations in the practice of the Courts in dealing with appeals in different Divi-

sions. For example, while the Divisional Judges of Peshâwar and Siâlkot disposed of 65 and 56 per cent. respectively of the appeals preferred to them without calling on the respondents to appear, in the Râwalpindi Division only 5 per cent. were similarly treated, and only 6 per cent. in the Lahore and Derajât Divisions It is evident, therefore, as the Judges of the Chief Court have remarked, that more discrimination in dealing with appellate work appear to be called for in some Courts, and it is, in His Honor's opinion, unfortunate that for many years past the Judges of the Chief Court have had no leisure to make occasional inspections of Divisional Courts. The importance of this duty has been recognized both by the Judges and the Local Government, and should not be overlooked in finally determining the question whether the Court shall consist of four or five Judges.

7. The volume of civil business of the Chief Court was approximately the same as in the preceding year. On the one hand, appeals, including appeals from orders, increased from 1,425 to 1,555 cases; on the other, there was a reduction of 125 in the number of applications for revision, which in the year under report amounted to 1,713 cases. In the three years 1886, 1887 and 1888 the average number of civil appeals per annum was 2,494. Act XIII of 1888 has thus, to judge from the figures of the two years 1889 and 1890, effected a reduction of 40 per cent. in the civil appellate business of the Chief Court. Looking to the nature of the appeals instituted during the year under report it is observed that as compared with the year 1889 there has been a considerable increase in the number of *further* appeals, while *first* appeals have fallen off in number. Appeals on the certificate of the Divisional Judge have increased from 36 to 109. With a Bench of five Judges the Chief Court has been able to do little more than keep pace with the incoming work. The pending file of appeals has been reduced from 1,391 to 1,254 cases, while there were at the close of the year 215 applications for revision pending as compared with 357 cases pending at its commencement. If, therefore, the existing law of appeal is maintained, and if no very decided diminution takes place in the amount of the work coming before the Court, it is obvious that the withdrawal of one of the five Judges will be impossible. Under orders recently issued by the Secretary of State no alteration will be made in the law before the end of the year 1892, so that the efficiency of the present procedure may be properly tested: the Lieutenant-Governor will, therefore, refrain from making any comments on this subject at the present time. In reviewing the Civil Justice Report for the year 1889 His Honor was inclined to look for a reduction in the revision business of the Court in consequence of the very insignificant success which attended applications for revision. Notwithstanding, however, the discouragement given to applicants by the rules introduced during the year requiring security to be found before the admission of applications for revision, such applications, it is stated in the report, are still very numerous, while the measure of success which they have met is scarcely better than last year. It should be observed, however, that the number of applications for revision fell from 1,838 during the previous year to 1,713, while the rules in question were not promulgated until the end of July 1890, so that allowing for the vacation of two months beginning in August, the fact is that the new rules were in force for little more than three working months in the year, and it is premature to judge of their effect.

8. The improved system of process-serving adverted to in the review of the Report for 1889 seems to command approval on the part of all officers. A further reform, in the direction of increasing the pay of several grades of the establishments and adding a number of appointments to the staff of Názirs, has been brought into effect from the commencement of the current year. It has been found possible in introducing this reform to reduce considerably the number of persons employed in the lower grades of the process-serving establishments.

Arrangements have also been made, as an experimental measure, for the transmission to witnesses of their diet money through the post.

ORDER.—Ordered that the above Review be forwarded to the Government of India in the Home Department with the usual number of copies of the Report. Also that it be forwarded to the Registrar of the Chief Court, Punjab, for the information of the Judges and for circulation with the Report.

Also that it be published in the *Punjab Government Gazette.*

By order of the Hon'ble the Lieutenant-Governor,

H. MAUDE,

Offg. Junior Secretary to Government, Punjab.

Punjab Government Press, Lahore—10-7-91-[illegible].

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No. 2 —Statement showing the number and description of civil original cases instituted in the civil courts of the Punjab, during the year 1890.

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No. 4.—Statement showing the general result of the trial of civil cases in the courts of original jurisdiction in the Punjab in the year 1890 (Part I, Civil suits).

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No. 8.—Statement showing the use of assessors in the civil courts of the Punjab in the year 1890

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Statement A.—Supplementary statement showing the value of suits instituted in the districts of the Punjab in the year 1890.

Appendices.

A Note on the disposal of land suits and the state of business in certain courts, during the year 1890.

B. Extracts from the annual civil reports of Divisional and District Judges.

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FROM

E. W. PARKER, ESQUIRE,

Registrar, Chief Court, Punjab,

To

H. C. FANSHAWE, ESQUIRE, C. S.,

Offg. Chief Secretary to Government, Punjab.

Dated Lahore, the 1st May 1891.

SIR,

Submits annual report

I AM directed to submit the report of the Judges on the administration of Civil Justice in the Punjab, for the year 1890, together with the usual statistical tables.

PART I.—ORIGINAL JURISDICTION.

A.—INSTITUTIONS, CLASSIFICATION AND VALUE OF ORIGINAL CIVIL SUITS.

Number of suits instituted.

2. The following statement gives the number of suits instituted in the civil courts of the province in each of the last six years:—

Grade of court.	1885.	1886.	1887	1888.	1889.	1890
Chief Court	4	3	3	4	5	5
Divisional Courts	5	9	7	3	3	5
District Courts of general jurisdiction	225,392	218,427	222,917	235,287	222,721	220,219
District Small Cause Courts ...	13,883	15,680	15,011	15,162	13,964	14,087
Cantonment Small Cause Courts ...	7,763	8,204	9,209	7,519	6,706	6,363
Total ..	247,047	242,323	248,177	257,975	213,399	240,679

Fluctuations noticed.

3. The number of suits instituted is below that for any year shown in the statement or, indeed, since the year 1877. As compared with the preceding year there has been a decrease of one per cent only. This scarcely needs explanation. It is, however, satisfactory that litigation shows no tendency to increase. During a period of fifteen years, civil litigation was heaviest in the years 1883 and 1884, and lightest in the years 1876, 1877 and 1890. The decrease has occurred chiefly in district courts of general jurisdiction, and has been very generally distributed. There were about twelve suits to every thousand of the population.

Comments on fluctuations in districts

4. A detailed examination of district returns shows that institutions have fallen off in seventeen districts, the decrease being most noticeable in the following :—

Sialkot	2,447	cases.
Amritsar	1,262	„
Jhang	920	„
Mooltan	781	„
Montgomery	694	„
Kangra	674	„
Amballa	527	„

The only districts which show a marked increase are—

Shahpur	1,166	cases.
Jhelum	938	„
Hoshiarpur	638	„
Gujranwala	314	„

The decrease is generally attributed by district officers to the fever which was so prevalent during the latter half of the year under report.

The number of suits exceeded 15,000 in each of the following districts, namely :—Lahore, Gurdaspur, Amritsar and Sialkot, and was above 10,000 in each of the following, namely :—Hoshiarpur, Jullundur, Rawalpindi, Gujranwala and Ferozepore. The districts are given in the order in which they stand as regards the amount of litigation.

Classification of suits

5. The following table gives the number of suits under the chief heads of classification for each of the past four years :—

	Description of suits	1887	1888.	1889	1890.
I.—Suits for money or moveable property	On registered bonds	2,682	2,525	2,131	1,998
	On unregistered bonds	85,692	90,012	87,671	92,979
	Otherwise than on bonds	102,580	105,876	96,993	92,276
	For rent other than of land	3 275	3,586	3,499	3,412
	For moveable property or value thereof ...	16,454	16,167	14,476	13,323
	For damages	2,246	2,081	2,028	1,550
	Other suits	1,673	1,976	1,273	1,595
	Total ...	214,602 86 p c	222,223 86 p. c.	208,071 85 p. c.	207,133 86 p. c.
II.—Rent suits and suits under the Punjab Tenancy Act ...		...	5	29	9
III.—Other suits.	For immoveable property	24,516	27,439	26,806	25,804
	For a declaration of right	2,483	2,536	2,468	2,364
	For specific performance	213	199	203	136
	Relating to betrothal, marriage, divorce and dower	5,339	4,687	5,089	4,564
	For or relating to partition	225	184	195	184
	Not included in the above	799	702	538	485
	Total ...	33,575 14 p. c.	35,747 14 p. c.	35,299 15 p. c.	33,537 14 p. c.
	GRAND TOTAL ...	248,177	257,975	243,399	240,679

Increase and decrease under various heads noticed.

6. There is a falling-off noticeable under each head in the foregoing statement with the exception of "suits on unregistered bonds" and "other suits for money or moveable property." There has been a steady decrease since 1884 in the number of suits on registered bonds, which shows that the safe-guard of registration is being less and less resorted to. There has been a large increase in suits on unregistered bonds, which were 5,308 cases in excess of the number for the year 1889. "Other suits for money or moveable property" show a slight increase. Bankers and shop-

keepers brought 105,394 suits against agriculturists during the year under report, as compared with 102,222 in the year 1889.

Value of suits.

7. The following table gives the value of such suits instituted as were capable of money valuation, for each of the past three years :—

	Class of suit.			Number of suits instituted capable of money valuation.	Value	Average value.		
					Rs.	Rs.	A.	P.
(1).	For money or moveable property	1888	...	222,223	1,28,82,327	57	15	6
	Ditto ditto	1889	.	208,071	1,29,10,865	62	0	9
	Ditto ditto	1890	...	207,133	1,68,97,175	81	9	2
(2).	For land assessed or subject to assessment	1888	...	20,940	56,58,827	270	3	10
	Ditto ditto	1889	...	19,817	46,85,382	236	6	11
	Ditto ditto	1890	...	18,593	41,97,213	225	11	10
(3).	For other immoveable property	1888	...	7,845	15,87,627	202	5	11
	Ditto ditto	1889	.	8,603	22,82,563	265	5	2
	Ditto ditto	1890	..	7,587	28,78,660	379	6	8
(4).	Other suits	1888	...	4,589	9,73,048	212	0	8
	Ditto	1889	...	4,725	8,26,291	174	14	0
	Ditto	1890	...	5,189	14,86,320	286	6	11
	Total	1888	...	255,597	2,11,01,829	82	8	11
		1889	...	241,216	2,07,05,101	85	13	4
		1890	...	238,502	2,54,59,368	106	11	11

Variations in value noticed.

8. Out of 240,679 suits instituted in the province, 238,502 were of determinate value. The total value of the litigation was Rs. 2,54,59,368, or Rs. 47,54,267 more than in the year 1889, and Rs. 43,57,539 more than in the year 1888. Thus the figures for the year 1890 show that while the number of suits instituted has decreased, their value has increased by nearly 23 per cent. Under the first head, namely, "suits for money or moveable property," although the number of suits shows a substantial decrease, their value has increased by about forty lakhs, or 31 per cent over the figures for the years 1888 and 1889. Under the second head there has been a decrease both in the number and value of suits. Under the third head the value has increased by about six lakhs or 26 per cent, on the figures for the year 1889, and 81 per cent on those for the year 1888. "Other suits," (head 4), have increased in number by 464 cases, and in value by over six lakhs, or 79 per cent. These large differences are very remarkable.

Variations in value explained.

9. The variations observed in the preceding paragraph are explained by district officers as being due in the case of some districts to the institution of several cases of large money value, but principally to the operation of the Suits Valuation Act and the rules made thereunder. The rules made by the Local Government relating to the jurisdiction value of suits for land or interests in land were expected to operate in reducing the value, as the rules fix the value by reference to a multiple of the revenue demand instead of the estimated market value. It appears, however, that there is a want of uniformity in applying the rules. The subject was alluded to in paragraph 9 of the report for the year 1889. The rules made by the Chief Court in regard to other suits have no doubt affected the value to some extent, but could not account for the large increases in value under heads 1 and 4 which appear in the statistics. Reference to the detailed figures supplied by district officers discloses some large variations in the figures. For example, in the Lahore district the value of immoveable property other than land, which has formed the subject of litigation, has gone up by Rs. 11,38,537, while the value of suits for money and moveable property has risen by over Rs. 1,00,000. One suit of a value exceeding Rs. 13,00,000 was instituted. In the Rawalpindi district there has been a rise under all classes of suits aggregating Rs. 3,77,593; in the Peshawar district of Rs. 2,47,783; in the Ludhiana district under the three first heads there has been a fall of Rs. 1,70,599. In the

Gujranwala district, the value under the first head has risen by Rs. 35,51,686. This is, however, due to the institution of a single suit of the value of thirty-five lakhs. The fluctuations in the amounts shown under the respective classes are in some districts extraordinarily large, and the figures do not appear to be altogether reliable The changes made in the rules regarding the valuation of suits preclude any very close comparison being made between the figures for the years 1889 and 1890 respectively.

Average value noticed.

10. The average value of all classes of suits was Rs. 106-11-11 in 1890, Rs. 85-13-4 in 1889, and Rs 82-8-11 in 1888. The average value of "land suits" (head 2) has fallen; the remaining heads show an increase, which is most marked in suits for immoveable property other than land and in "other suits," which have gone up from Rs. 265-5-2 to Rs 379-6-8, and from Rs. 174-14-0 to 286-6-11, respectively. These rises in averages are due to the causes explained in the preceding paragraph.

B.—DISPOSAL OF ORIGINAL SUITS BY COURTS SUBORDINATE TO THE CHIEF COURT.

Original civil work in Divisional Courts

11. Divisional Courts disposed of 4 out of 6 original suits which were for disposal during the year 1890. In the previous year the figures were 3 out of 4 suits.

Original civil work in other courts.

12. The following table shows the number of original suits for disposal, disposed of and pending at the close of the year, in other subordinate courts, for each of the past five years.

Year	For disposal (pending, instituted and re admitted)	Disposed of	Pending.
1886	269,147	250,012	19,135
1887	278,228	260,912	17,316
1888	285,973	268,174	17,799
1889	272,095	254,994	17,101
1890	269,449	253,266	16,183
Difference between 1889 and 1890 ...	—2,646	—1,728	—918

Results noticed

13. The amount of business for disposal was less than in either of the three preceding years, but is almost identical with that shown for the year 1886. The disposal of business has kept pace with the incoming work, and the pending file shows an appreciable reduction, being below that of any of the previous five years. These results are satisfactory.

Manner of disposal

14. The following abstract shows the manner in which original civil suits were disposed of during each of the past four years:—

Manner of disposal.	Percentage decided			
	1887.	1888.	1889	1890.
Without trial	19·4	19·4	19·6	19·7
" contest	50·2	50·5	50·3	50·2
On reference to arbitration	·8	·8	·6	·6
After contest { for plaintiff	21·3	21·7	21·6	21·9
After contest { for defendant	8·3	7·6	7·9	7·6

The variations are not important.

15. Further details of the disposal of original suits during the three past years are given in the annexed table:—

Further details of disposals.

1	2	3	4	5	6	7	8	9	10
Year.	Percentage of cases.								
	Dismissed on default.	Withdrawn with leave, section 373, Civil Procedure Code.	Compromised.	Decreed on confession.	Decreed or dismissed *exparte*.	Referred to arbitration.	Contested and decided in favour of plaintiff.	Contested and decided in favour of defendant.	Percentage of contested cases decided in favour of plaintiff to the number contested.
1888	17	0·4	19·1	18	13	0·8	21·7	7·6	72
1889	17·9	0·4	19 1	17·4	13·7	0·6	21·6	7·9	71·8
1890	17·9	0·3	18·8	17·1	14·2	0·6	21·9	7·6	74·4

The results are normal. The action of the courts in disposing of the business coming before them has been almost the same during each of the past three years. The percentages of cases decreed or dismissed *exparte* and of contested cases decided in favour of plaintiff, show a slight increase.

16. The following statement shows, in further detail, dismissals on default and *exparte* decisions, for each of the past four years:—

Dismissals by default and *exparte* decisions.

Year.	Dismissals on default.				*Exparte* decisions.					
	Number of cases dismissed on default under sections 97 and 98, Civil Procedure Code.	*Number of applications for restoration to the file of cases dismissed under sections 97 and 98, Civil Procedure Code.*		Number of fresh suits brought on claims dismissed on default under sections 97 and 98, Civil Procedure Code	Number of cases in which judgment was passed *exparte* against a defendant under section 101, Civil Procedure Code.	*Applications to set aside exparte decrees.*		Number of cases in which suit was dismissed under section 102, Civil Procedure Code.	*Applications under section 103, Civil Procedure Code.*	
		Admitted.	Refused.			Admitted.	Refused.		Admitted.	Refused.
1887 ...	45,083	6,323	2,622	347	27,226	2,079	1,519	3,294	1,095	393
1888 ...	47,659	5,630	2,306	346	32,298	2,639	1,888	3,504	1,221	439
1889 ...	45,843	4,939	2,426	214	31,639	2,700	1,819	3,461	1,185	435
1890 ...	45,570	6,845	2,993	261	32,420	2,863	1,909	3,670	1,371	516

17. The number of cases dismissed on default is slightly below that for the years 1889 and 1888, but above that for 1887. The number of applications for restoration to the file of cases dismissed under sections 97 and 98 of the Code of Civil Procedure is somewhat in excess of that for any of the preceding three years. The action in cases heard *exparte* is much the same as in previous years. On the whole the working under these heads has been satisfactory.

Remarks on above.

18. The following districts show the highest percentages of disposals under these heads :—

Districts in which percentages were highest.

	Districts.	Percentage on the number disposed of in the district
Dismissals on default ...	1. Gurdaspur ...	21
	2. Sialkot ...	19
	3. Amritsar ...	18
	Provincial average ..	17·9
Exparte decisions ...	1. Jhang ...	20
	2. Dera Ismail Khan ...	19
	3. Mooltan ...	18
	Provincial average ...	14·2

About 80 per cent of the total number of cases disposed of were contested to the end. Plaintiffs were successful in about 74 per cent of those contested.

19. Only fifteen hundred and thirty-one suits, or 0·6 per cent on disposals, were decided by arbitration during the year, as compared with 1,614 in the year 1889, and 2,051 in 1888.

References to arbitration.

20. The number of commissions issued for local investigation and for examination of accounts, in each of the past three years, was as follows :—

Issue of commissions

Year	For local investigation.						For examination of accounts.					
	To a Revenue official.	To any other person.	Total.	Average cost.			To a Revenue official.	To any other person.	Total.	Average cost.		
				Rs.	A.	P.				Rs.	A.	P.
1888 ...	262	2,335	2,597	5	12	0	49	1,475	1,524	3	13	0
1889 ...	270	2,028	2.298	5	11	0	33	1,093	1,126	4	10	0
1890 ...	252	2,231	2,483	5	4	3	43	1,182	1,225	4	13	10

These figures do not call for remark.

21. Property was attached before judgment in 513 cases. The figures for four years are :—

Attachment before judgment

1887	481
1888	520
1889	452
1890	513

Compensation for improper attachment was awarded in only four cases, as against five in the previous year. The number of attachments before judgment was highest in the Lahore (eighty) and lowest in the Simla, Kullu, Gurdaspur and Jhang (two each) districts. The increase in the number of such cases as compared with the previous year is slight.

22. The number of decrees bearing interest has decreased considerably, the number being nearly 200 cases below that for the preceding year. The average rate of interest allowed, however, shows a slight increase. The following table gives information under this head for a period of five years :—

Decrees bearing interest.

	Number of cases in which interest was allowed on the amount decreed.				
	1886	1887.	1888.	1889.	1890.
By consent	952	449	440	439	278
Without consent	168	88	72	117	81
Total ...	1,120	537	512	556	359

		Rs.	Rs. A. P.
Average rate of interest ...	By consent, per cent	7	7 2 0
	Without consent, per cent	5	7 10 0

It is clear that no objection can be taken to the action of the courts during the past year under this head.

Pending file.

23. The pending file at the close of the year was 16,183 as compared with 17,101 in the previous year, and 17,799 in the year 1888. Of these 1,258, as against 2,142 in the previous year, were pending under section 99 A of the Code of Civil Procedure. These results are satisfactory.

The pending files stood highest in the following districts :—

Lahore...	1,261
Amritsar	1,050
Gurdaspur	1,005
Hoshiarpur	944
Jullundur	919
Muzaffargarh	831
Ferozepore	827

With the exception of Muzaffargarh these are districts in which litigation is heaviest. In the Lahore and Muzaffargarh districts the pending files are too large.

Disposals did not keep pace with institutions (including re-admissions) in the Muzaffargarh and Jhelum districts.

Average duration.

24. The average duration of suits for the whole province in each of the past three years was—

	Contested.	*Uncontested.*
1888	33	21
1889	34	22
1890	34	21

The average duration in the various classes of courts in each of the past three years was—

Class of court.	Contested.			Uncontested.		
	1888.	1889.	1890.	1888.	1889.	1890.
District Judges' Courts ...	67	72	66	41	53	41
Courts of Subordinate Judges with appellate powers	60	61	58	39	44	37
Assistant and Extra Assistant Commissioners (Special Munsifs) ...	48	54	53	35	35	33
District Small Cause Courts ...	16	17	22	15	14	16
Cantonment do. do. ...	22	16	19	13	15	15
Munsifs' Courts	31	31	30	20	22	20
Tahsildars' Courts	32	31	35	19	18	22
Naib Tahsildars' Courts	23	22	19	16	15	14
Honorary Civil Judges' Courts ...	30	30	32	18	19	22

The increase in the average duration in District Small Cause Courts, Tahsildars' Courts and Honorary Courts (Special Munsifs), is unsatisfactory.

C.—AGENCY EMPLOYED IN DISTRICTS FOR THE DISPOSAL OF CIVIL SUITS.

Distribution of civil work between the various grades of courts.

25. The following statement shows the manner in which original suits were distributed between the various grades of courts during the year under report, as compared with the years 1888 and 1889, respectively:—

Number of officers employed on civil work			Grade of officers	Original suits decided						Average number of cases decided by officers of each grade.		
				Number.			Percentage					
1888	1889	1890		1888.	1889.	1890.	1888	1889	1890	1888.	1889	1890.
			District Judges and Subordinate Judges with appellate powers.	6,280	5,444	5,494	2·3	2·1	2·1	...	...	...
			Assistant Commissioners	3,149	2,742	3,297	1·2	1·0	1·3	...	...	...
			Extra Assistant Commissioners ...	16,725	14,150	15,958	6·9	5·5	6·3	...	...	...
116	116	116	Tahsildars (Special Munsifs) ...	16,285	13,781	14,385	6·0	5·4	5·7	140	119	124
5	6	6	Naib Tahsildars (do.) ...	1,618	500	1,181	8	·1	5	323	83	197
*83	*83	*83	Munsifs	188,109	186,496	180,599	70·1	73·1	71·3	2,266	2,247	2,176
5	5	8	Judges of District Small Cause Courts and Registrars	15,709	14,103	14,326	5·2	5·5	5·6	3,142	2,821	1,791
9	9	9	Judges of Cantonment Small Cause Courts	7,593	6,769	6,466	2·8	2·6	2·6	844	752	718
58	57	52	Honorary Civil Judges	12,697	11,009	11,560	4·7	4·7	4·6	218	192	222
			Total ...	268,174	254,994	253,266	...	...	...	...	...	...

* One Munsif was Registrar of the Lahore Small Cause Court.

Remarks on disposal of original work.

26. The increase in the amount of work done by Assistant and Extra Assistant Commissioners (Special Munsifs) and Tahsildars and Naib Tahsildars, namely, from 12 to 14 per cent, is satisfactory, but the amount is still insufficient. Munsifs did less work, 71·3 per cent in 1890 against 73·1 per cent in 1889. This is not a matter for regret as this agency was overburdened with work in the year 1889. The purely judicial agency, comprising District and Sub-Judges, Munsifs and Small Cause Courts, disposed of 81·6 per cent of the total litigation of the province as against 88·3 per cent in the preceding year. The reduction of work in Munsifs' courts is due to their having been partially relieved of land suits under the orders issued, with the permission of the Lieutenant-Governor, during the year. Out of a total number of 22,098 land suits, Munsifs disposed of 6,931, as compared with 12,856 in the year 1889. This is a highly satisfactory result.

Land suits disposed of by each class of court.

27. The following table shows the number of land suits disposed of by each class of court during the years 1889 and 1890:—

Class of court.	Number of land suits.	
	1889.	1890.
District Judges	1,019	783
Sub-Judges with appellate powers	1,366	1,390
Assistant and Extra Assistant Commissioners	5,784	8,425
Small Cause Courts	...	...
Munsifs	12,856	6,931
Tahsil Courts	1,920	3,839
Honorary Civil Judges	788	730
Total ...	23,723	22,098

28. In the following districts, land suits were largely made over to Munsifs :—

Land suits tried by Munsifs.

Districts.	Number of Munsifs employed in the district.	Land suits tried by Munsifs.	Land suits tried by other courts.	Total land suits.
Amritsar	5	861	533	1,394
Sialkot	6	701	820	1,521
Ferozepore	4	661	597	1,258
Jhelum	3	573	324	897
Rawalpindi	4	561	673	1,234
Jullundur	6	531	940	1,471

Note on the disposal of land suits and on the distribution of work, attached as Appendix A. Remarks on inadequacy of staff in some districts.

29. A note on the agency by which land suits were disposed of during the year, and remarking on the distribution of civil business amongst the courts, is attached as Appendix A of this report. The information there given shows that Assistant and Extra Assistant Commissioners may fairly be expected to dispose of even more work than they dealt with in the year under report; that Tahsildars do not dispose of an adequate amount of civil judicial business, and are capable of dealing with all land suits of the value of Rs. 100 and under, and that when the necessary adjustments have been made, the Munsif agency will be in a position to do all that should properly be required of it. As has been more than once represented officially, the staff of officers now allowed to the following districts, namely :—Lahore, Gurdaspur, Amritsar, Sialkot, Hoshiarpur, Jullundur, Rawalpindi, Gujranwala and Ferozepore is hardly adequate. The necessary relief will to some extent be given to several of these districts when the Munsif agency is re-adjusted in the manner shown in Appendix A. In my letter No. 5,596, dated the 17th December 1890, the requirements of some of these districts in regard to the Extra Assistant Commissioner agency were pointed out, and some temporary relief was given by posting additional officers to certain districts during the winter months of 1890-91. The matter is understood to be under the consideration of Government and need not be further discussed here. The Judges are not, of course, in a position to form a definite opinion as to the adequacy or otherwise of the staff of Assistant and Extra Assistant Commissioners allowed to districts, as these officers have to perform important revenue and administrative functions in addition to their duties as civil and criminal judicial officers, all that they are able to do is to point out the districts in which officers of this class do not deal with a proper amount of judicial work, or from which complaints of the inadequacy of the agency reach them. An estimate of the amount of judicial work in each district which should be dealt with by this agency can be supplied, but the strength of the staff can only be satisfactorily fixed after taking into consideration the work to be done by it in other departments as well as in the judicial department.

Disposals by District and Sub-Judges.

30. District and Sub-Judges did about the same amount of original work as in the previous year. The largest amount of business done by this agency was in the following districts :—

	Cases.
Delhi	385
Gurgaon	375
Bannu	321
Peshawar	314
Lahore	288
Hissar	267

Honorary agency.

31. The annexed statement gives the names of the Honorary Civil Judges who disposed of the greatest number of suits :—

District.	Name of judge.	Pecuniary limit of powers.	Cases disposed of.
Sialkot	Chaudri Bahawal Bakhsh	Munsif, 3rd class	1,006
Ferozepore	Sodhi Khazan Singh	" 3rd "	904
Sialkot	Sirdar Dial Singh	" 2nd "	676
Do.	Sirdar Richpal Singh	" 3rd "	583
Montgomery... ...	Lala Bhag Rai	" 3rd "	487
Kangra	Raja Niamat-ulla Khan	" 2nd "	483
Ferozepore	Sodhi Indar Singh	" 2nd "	457
Jullundur	Sirdar Harnam Singh	" 3rd "	417
Kohat	Khan Bahadur Muhammad Zaffar Khan...	" 2nd "	411
Hoshiarpur	Sirdar Bahadur Rajindar Singh	" 3rd "	374
Shahpur	Lala Kishen Dial	" 3rd "	338
Amballa	Sirdar Harnam Singh	" 2nd "	319
Karnal	Munshi Riaz Husain	" 3rd "	309
Delhi	Munshi Muhammad Ikramulla Khan ...	" 2nd "	295
Bannu	Munshi Abdulla Khan	" 1st "	243
Delhi	Rai Bahadur Piare Lal	" 2nd "	237
Dera Ghazi Khan ...	Sardar Fazal Ali Khan	" 2nd "	230
Muzaffargarh ...	Munshi Saifulla Khan	" 2nd "	216
Amballa	Sirdar Jiwan Singh C. I. E.	" 2nd "	210
Kangra	Raja Jai Chand	" 2nd "	200

The Judges have much pleasure in testifying to the valuable services rendered gratuitously by these and other Honorary Civil Judges.

D.—MISCELLANEOUS CASES.

Miscellaneous cases of a civil nature under the Code.

32. The following statement shows the number of miscellaneous cases under the Code of Civil Procedure (excluding applications for execution of decrees), instituted in District Courts in each of the past two years :—

Nature of case.	1889.	1890.
Plaints or memoranda of appeal rejected or returned without registration	5,322	5,915
Applications for restoration to the file of a suit or appeal dismissed in default or decreed *ex-parte* (sections 99, 103, 108, 558 and 560, Civil Procedure Code)	13,884	14,907
Objections with regard to attached property (sections 278 and 487) ...	13,485	12,740
Applications for permission to sue as a pauper (section 401)	1,083	1,042
Applications for review of judgment (section 623)	1,552	1,440
Other cases	984	840
Total	36,310	36,884

The variations are unimportant having regard to the general statistics of litigation.

Other miscellaneous cases.

33. The institutions of other miscellaneous cases not connected with the Code of Civil Procedure, amounted to 5,737, as compared with 4,002 in the preceding year. Of these 2,104 were cases relating to the redemption or foreclosure of mortgages (*viz.*, 567 for redemption and 1,537 for foreclosure) as against 1,864 in the previous year. They were most numerous in the Ferozepore (375), Hissar (285), Gujranwala (252), and Rohtak (179) districts.

The number of cases falling under the Succession Certificate Act (VII of 1889) was 2,272 in the year under report, as compared with 510 in the year 1889, the changes in the law sufficiently account for the large increase which has occurred. There were 661 applications under Acts XL of 1858 and IX of 1861, (guardianship and administration of the property of minors), as compared with 543 in the preceding year.

34. The following table shows the number of miscellaneous cases disposed of in Divisional Courts during the past two years :—

Miscellaneous cases in Divisional Courts.

Nature of case.	1889.	1890.
Memoranda of appeal rejected or returned	301	362
Applications under sections 558 and 560 for restoration to the file of an appeal dismissed in default or decided *ex-parte*	229	118
Applications for permission to appeal as a pauper	65	63
Ditto for review of judgment	137	130
Ditto for certificates to appeal under section 40 (c) Punjab Courts Act	1,617	1,924
Cases under the Land Acquisition Act, 1870	39	50
Cases under section 14 of the Legal Practitioners' Act, 1879	1	...
Total ...	2,389	2,647

Applications for certificates to appeal show a tendency to increase. The figures for each of the past five years were—

1886	1,162
1887	1,273
1888	1,384
1889	1,617
1890	1,924

E.—EXECUTION OF DECREES.

35. The following statement gives the details of execution of decree business in District Courts for each of the past three years :—

Result of execution proceedings.

Year	Total number of applications for execution before the courts.	Transferred.	Completely executed.	Partially executed.	Wholly infructuous.	Total number disposed of.	Percentage of cases completely executed to the number disposed of	Average duration.	Value of money decrees in execution	Amount realized. Voluntarily	Amount realized. After issue but without execution of process.	Amount realized. After execution of coercive process.	Percentage realized.
									Rs.	Rs	Rs.	Rs.	
1888 ...	216,071	2,010	54,595	43,189	92,117	191,911	28	40	1,34,78,747	5,08,116	7,93,619	30,91,966	32
1889 ...	209,146	1,621	52,507	41,326	90,374	185,828	28	42	1,34,59,219	4,72,128	7,35,260	28,32,532	30
1890 ...	205,899	1,495	51,240	39,935	90,188	182,858	28	41	1,39,39,225	4,14,350	10,73,632	30,08,873	32

36. The decrease in the number of applications for execution corresponds with the decrease in the number of suits for disposal. The proportion of completely executed decrees is the same as in the two preceding years, *viz.*, 28 per cent. Partial executions are slightly below the figures for the two previous years, while wholly infructuous applications show no improvement. The average duration and the percentage of realizations show a decrease and increase respectively, indicating improvement in working. There was a very satisfactory increase in the amount realized, both without and after issue of coercive process. The percentage realized (32) is satisfactory, that for the year 1889 being 30.

Remarks on working.

The percentages were·

	Percentage of decrees.		
	1888.	1889.	1890.
Completely executed	28·5	28·2	28·0
Partially executed	22·7	22·2	21·9
Wholly infructuous	47·9	48·6	49·3
Transferred	0·9	1·0	0·8

Wholly infructuous applications were, as might be expected, most numerous in the following districts :—

Sialkot	8,086
Jullundur	6,895
Lahore	6,504
Amritsar	5,306
Gurdaspur	5,201
Gujranwala	5,148

and least numerous in—

Kullu	88
Kohat	412
Hazara	436
Simla	673
Gurgaon	684
Karnal	894

The percentage of cases completely executed stood highest in the following districts :—

Kullu	59	per cent.
Hazara	44	"
Peshawar	40	"
Kangra	39	"
Dera Ghazi Khan	39	"
Kohat	37	"

and lowest in—

Shahpur	16	"
Sialkot	19	"
Montgomery	20	"
Karnal	23	"
Gujranwala	23	"
Jhang	23	"

The percentage realized was most satisfactory in the following districts :—

Gujrat	66	per cent.
Hazara	58	"
Peshawar	56	"
Montgomery	49	"
Lahore	48	"
Kullu	44	"

and least satisfactory in—

Karnal	10	"
Simla	14	"
Gurgaon	21	"
Kohat	21	"
Jhang	22	"
Mooltan...	25	"

There can be no doubt, the Judges think, that District Courts have endeavoured to effect an improvement in the disposal of execution of decree business; so far, however, except in regard to realizations, the results are not encouraging.

37. The following statement shows the processes resorted to for the execution of decrees in each of the last two years :—

Modes of coercion employed.

	Number of applications.	
	1889.	1890.
On which process was issued, but not executed ...	57,017	51,290
„ which moveable property was attached, but subsequently released	42,534	40,627
„ which moveable property was sold ..	8,414	8,367
„ which immoveable property was attached, but subsequently released...	6,363	7,427
„ which hereditary or joint acquired property in land was sold	61	46
„ which other immoveable property was sold ...	2,183	2,147
„ which action was taken under section 305 or section 306, Civil Procedure Code ...	548	603
„ which possession was given of moveable property	265	358
„ which possession was given of immoveable property	7,130	7,114
„ which specific performance was enforced ...	178	291
„ which partition was effected	56	108
„ which execution was effected otherwise than as above	119	36
„ which judgment-debtors were arrested, but released without imprisonment	4,951	2,882
„ which judgment-debtors were imprisoned ...	445	513

37 (*a*). The following table shows the modes of realization :—

Realization in money decrees.

Modes of realization.		Amount realized.		Percentage	
		1889.	1890.	1889.	1890
		Rs.	Rs.		
Paid in voluntarily		4,72,128	4,14,350	12	9
Realized.	After issue, but without execution of process	7,35,260	10,73,632	18	24
	By attachment only	21,27,964	21,72,027	53	49
	By sale	5,16,405	6,35,468	13	14
	By arrest only	1,53,653	1,46,045	3	3
	After imprisonment	34,510	55,333	1	1

38. The annexed statement gives details of the number of judgment-debtors arrested and imprisoned, and of the terms of imprisonment :—

Arrest and imprisonment.

Year.	Number of judgment-debtors arrested.		Number of persons detained.			Average duration of detention in days.
	Released without imprisonment.	Imprisoned.	Up to one month.	Between one and three months.	Between three and six months	
1888	4,044	630	323	192	108	42
1889	4,951	445	219	128	77	41
1890	2,882	513	177	123	91	54

The number of arrests has very largely decreased it will be observed. The action taken under this head appears to have been satisfactory in all districts.

Distribution of execution of decree work amongst the various grades of courts.

39. The following table shows the distribution of execution of decree work amongst the various grades of courts, and the results obtained in each :—

Class of court	Number of applications disposed of		Percentage in which satisfaction was obtained in whole or in part.		Value of money decrees in execution.		Percentage realized.		Average duration	
	1889	1890	1889	1890.	1889.	1890	1889.	1890.	1889.	1890.
					Rs.	Rs.				
Sadr Courts ...	22,100	22,232	51	50	54,81,204	60,70,888	25	30	55	50
Small Cause Courts .	15,887	15,153	58	64	5,95,230	5,47,578	42	54	17	19
Tahsil Courts	7,283	7,349	55	56	2,43,883	2,35,763	40	37	36	30
Munsifs' Courts .	135,962	133,237	49	47	69,25,023	67,68,062	32	32	43	40
Honorary Courts	5,096	4,887	61	55	2,13,879	3,16,334	38	28	30	31

Less execution work was done by Munsifs' courts.

The courts at head-quarters of districts and Small Cause Courts show considerable improvement in regard to the percentage of realization, while more applications were disposed of by the former. Fifty-three per cent of the applications disposed of by Munsifs were wholly infructuous.

F.—INSOLVENCY PROCEEDINGS.

Insolvency proceedings under the Civil Procedure Code

40. The annexed statement gives the number of applications for declaration of insolvency under the Code of Civil Procedure, filed, disposed of and pending at the close of the year and for the two preceding years :—

Year.	Pending from previous year.	Filed. By judgment-debtors. Under arrest or imprisonment	Against whose property an order of attachment had been made.	By decree-holders.	Total for disposal.	Disposed of.	Pending.
1888	118	30	328	4	480	402	78
1889	78	35	262	2	377	284	93
1890	93	22	246	1	362	273	89

Insolvency business shows a slight decrease. The figures for three years show that the insolvency provisions of the law are not much resorted to in this province. Decree-holders appear to take no advantage of them at all.

41. The insolvency business was disposed of as follows :—

Manner of disposal of insolvency business.

		1889.	1890.
Transferred		...	...
Withdrawn, or otherwise not prosecuted		116	103
Granted ...	A receiver not being appointed	29	37
	Ditto being appointed	42	39
Rejected ...	Penal proceedings not being taken... ...	97	93
	Ditto being taken	...	1

The scheduled debts stood at Rs. 6,50,033 against Rs. 7,79,979, and of this sum 15 per cent was satisfied or disallowed during the year, as against 27 per cent in the preceding year. Receivers held Rs. 45,340, of which Rs. 18,645, or 41 per cent was disbursed during the year.

Insolvency business under Act IV of 1872.

42. The Small Cause Courts at Lahore, Amritsar and Dehli still exercise insolvency jurisdiction under the provisions of sections 22 to 33 of the Punjab Laws Act, 1872. The number and value of applications dealt with under this law were—

		Number.		Value. Rs.
Lahore	...	18	...	89,446
Amritsar	...	17	...	3,31,121
Delhi	...	15	...	1,85,278

It seems to the Judges that no special reasons exist for retaining these provisions of the law any longer. As the law stands, however, it is doubtful whether the powers conferred on the three courts named can be withdrawn, and the best course would appear to be to repeal the law itself. It is understood that a Bankruptcy Law is under the consideration of the Legislature, and no doubt sections 22 to 33 of the Punjab Laws Act will be repealed when the new law is passed.

G.—ATTENDANCE OF WITNESSES.

Attendance of witnesses.

43. The subjoined table gives particulars as to witnesses who attended the courts in original civil suits during the past two years:—

	Number.		Difference.	Percentage.	
	1889.	1890.		1889	1890.
Witnesses who appeared voluntarily	135,775	129,505	−6,270	33	34
Witnesses for whose appearance a summons was issued	275,257	254,967	−20,290	67	66
Total ...	411,032	384,472	−26,560	...	...

Remarks on district returns.

44. The decrease in the number of witnesses who appeared voluntarily and on summons is due to the reduction in the number of suits instituted. The percentage of witnesses who appeared voluntarily and of those summoned is almost the same as in the preceding year, namely, 34 and 66, respectively. In some districts, such as Gurgaon, Rohtak, Karnal, Sialkot and Kohat, the majority of witnesses attended without process. Enquiries made from these districts elicited replies to the effect that parties usually prefer to produce their own witnesses (in many cases relations) without having recourse to a summons, in order to save process fees and subsistence charges. The number of witnesses who attended the courts in the Hoshiarpur district exceeded 25,000, and the number exceeded 20,000 in the Lahore, Jullundur, Amritsar, Gurdaspur, Sialkot and Gujranwala districts. Twenty-two per cent of the witnesses summoned were not paid their expenses, as compared with 25 per cent in the previous year: this may be regarded as satisfactory. According to law, every witness should be tendered his expenses at the time his summons is served upon him. It is, in the opinion of the Judges, very desirable that the provisions of law in this respect should be more fully carried into effect than is at present the case. It cannot but render the courts unpopular if persons compelled to attend them are put to actual expense in addition to undergoing the trouble and inconvenience which such attendance necessarily involves. The average amount paid to each witness varied from seven annas four pies in the Sialkot district to Rs. 1-1-4 in the Montgomery district, and stands highest in that and in the Gurgaon, Rawalpindi, Hissar and Mooltan districts. In the Kohat district more witnesses than were summoned received expenses; this is stated by the District Judge to be due to the fact that many witnesses who appeared voluntarily were dieted.

PART II.—SMALL CAUSE COURTS.

Original civil business of District and Cantonment Small Cause Courts.

45. The annexed statement shows the original civil work for disposal by the District and Cantonment Small Cause Courts, and the manner of disposal, for each of the two past years :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Number of civil suits on the file.												*Average duration.*	
COURT.	Pending from last year.	Instituted.	Re-admitted under sections 99 and 103, Act XIV of 1882 or the Small Cause Courts Act.	Received by transfer.	Total.	Disposed of without trial.	Without contest.	With contest.	Total disposed of.	Pending at the end of the year.	Pending for more than three months at the close of the year.	Percentage of contested cases.	Contested.	Uncontested.
District Small Cause Courts 1889 ...	784	13,964	237	...	14,985	1,641	8,986	3,476	14,103	882	160	24	17	14
District Small Cause Courts 1890 ...	883	14,087	237	...	15,207	1,676	9,315	3,335	14,326	881	82	23	22	16
Cantonment Small Cause Courts. 1889 ...	309	6,706	89	..	7,104	1,043	3,586	2,140	6,769	335	16	31	16	15
Cantonment Small Cause Courts. 1890 ...	334	6,363	73	...	6,770	960	3,583	1,923	6,466	304	27	30	19	15

Remarks on the above statement.

46. The figures for the two years show very much the same results, the slight variations being doubtless due to ordinary fluctuations. The average duration of contested and uncontested cases has risen.

Appointment of Registrars.

47. The experiment of appointing the clerks of the Amritsar, Simla and Delhi courts, to be Registrars of their respective courts, has now been in force for a year, and the amount of judicial work done by these officers and by the Registrar of the Lahore Small Cause Court, is given below :—

		Cases disposed of.
Lahore	(Exercising powers up to Rs. 20 in value) ...	2,647
Delhi	(Ditto ditto „ 10 ditto) ...	727
Amritsar	(Ditto ditto ditto ditto) ...	234
Simla	(Ditto ditto ditto ditto) ...	243
	Total ...	3,851

By the relief thus afforded, Judges of Small Cause Courts (other than Lahore) have been able to render assistance to District Judges by disposing of some original civil cases under their general powers. The pecuniary limits of the jurisdiction of the Registrars of the Delhi, Amritsar and Simla courts have now been raised to Rs. 20.

Revision of ministerial establishments of Small Cause Courts.

48. The Judges have recently submitted proposals for strengthening the ministerial establishments of District Small Cause Courts: and some slight changes will shortly be suggested in regard to the ministerial establishments of Cantonment Small Cause Courts.

PART III.—APPELLATE COURTS SUBORDINATE TO THE CHIEF COURT.

Institution of appeals from decrees in District and Divisional Courts

49. The following statement shows the number of appeals against decrees; instituted in District and Divisional Courts, during each of the past four years:—

1	2	3	4	5	6	7
Year	Number of appeals instituted			Total number of contested cases decided.	Total number of first appeals.	Percentage of first appeals to appealable orders.
	In District Courts.	In Divisional Courts.	Total.			
1887	8,413	9,365	17,778	70,065	17,778	25
1888	8,598	8,846	17,444	73,767	17,444	24
1889	9,593	7,660	17,253	71,120	17,253	24
1890	9,687	6,931	16,618	71,047	16,618	23

Remarks on the above.

50. Institutions of appeals in District Courts are steadily increasing notwithstanding the falling-off in original business. In Divisional Courts institutions have decreased by 9 per cent. These results are due mainly to the operation of the existing law of appeal.

A.—APPELLATE WORK IN DISTRICT COURTS.

Work disposed of and pending; average duration

51. The figures given below show for District Courts the number of appeals for disposal, disposed of, and pending at the close of the year, with the average duration in days:—

Year	Number of appeals.			Average duration of appeals.
	For disposal.	Disposed of.	Pending.	
1888 ...	9,240	8,313	927	26
1889 ...	10,520	9,567	953	27
1890 ..	10,640	9,659	981	32

Remarks on the working.

52. District Courts disposed satisfactorily of the increased amount of business thrown upon them. The pending file and the average duration were not excessive.

The largest amount of business was dealt with by the following courts:—

	Appeals.
Jullundur	905
Ludhiana	759
Gurdaspur	746
Ferozepore	709
Hoshiarpur	688

and the smallest in—

Simla	3
Kullu	44
Gurgaon	56
Kohat	70
Hazara	78

The average duration was highest in the following courts :—

Ludhiana	53
Kohat	53
Amballa	46
Gurdaspur	41
Jullundur	36

and lowest in—

Hazara	10
Gurgaon	17
Rohtak	17
Dera Ghazi Khan	18
Bannu	20

53. The manner of disposal was as follows :—

Manner of disposal of appeals.

	Percentage. 1889.	1890.
Transferred	0·4	0·4
Summarily rejected under section 551, Civil Procedure Code	18·5	18·6
Struck off for default or under section 557, Civil Procedure Code, or otherwise not prosecuted	4·9	4·9
Order of lower Court confirmed *ex-parte* ...	2·1	2·1
" " " " after contest ...	37·1	36·9
" " " modified ...	9·2	9·3
" " " reversed ...	16·9	16·8
Remanded under section 562, Civil Procedure Code	10·9	11·0

The figures for the two years compared are almost identical.

54. The annexed statement gives details as to the value and cost of appeals, excluding cases transferred or re-admitted, in District Courts, with percentages of cost to value :—

Value and cost of appeals in District Courts.

Scale of valuation.	Number of appeals.		Aggregate value of appeals.		Aggregate cost of appeals.		Average value of appeals.		Average cost of appeals.		Percentage of cost to value.	
	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.
			Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Not exceeding Rs. 10	1,025	292	6,906	2,059	2,414	852	9	7	2	3	34	41
" " 50	3,746	796	1,00,681	25,303	17,559	5,097	26	31	4	6	17	20
" " 100	1,858	334	1,30,047	24,667	18,670	3,795	70	73	10	11	14	15
" " 500	1,286	23	2,60,395	4,946	32,328	550	209	215	25	24	12	11
Appeals of which the value cannot be fixed ...	1	9	...	...	13	164	...	...	13	18	...	...
Total ... 1890	7,916	1,454	5,07,029	56,975	70,984	10,458	64	39	8	7	14	18
Total ... 1889	7,873	1,409	5,10,821	57,377	64,994	10,129	65	41	8	7	12	18

55. In addition to appeals from decrees, there were 908 miscellaneous appeals that came before District Courts for disposal during the year, as compared with 863 in the year 1889. Of the total number for disposal 826 appeals were disposed of and 82 remained pending. The average duration was 28 days or nearly the same as in the previous year.

Miscellaneous appeals.

B.—APPELLATE WORK OF DIVISIONAL COURTS.

Disposal of appeals from decrees in Divisional Courts.

56. The number of appeals from decrees pending from the previous year, the number instituted and disposed of during the year, and the number pending at the close of the year, are given below for each of the past two years :—

YEAR.	Pending from previous year.	Instituted, re-admitted &c., during the year.	Total for disposal.	Disposed of.	Pending at the close of the year.
1889	3,460	8,197	11,657	8,632	3,025
1890	3,025	7,278	10,303	8,298	2,005

Institutions and disposals show a falling off of 919 and 334 cases respectively, as compared with the year 1889. The pending file has been reduced by 1,020 cases which is very satisfactory.

Details of working in each division.

57. The following statement gives details of the number of appeals instituted, decided and pending in regard to each civil division :—

DIVISION.	Pending from 1889.	Instituted, re-admitted and received by transfer during 1890.	Disposed of in 1890.	Pending at the close of 1890.
Delhi	132	502	544	90
Amballa	192	797	775	214
Jullundur	108	451	519	40
Hoshiarpur (including Kullu)*	102	914	883	133
Amritsar †	636	699	1,029	306
Sialkot	91	495	543	43
Lahore	83	415	411	87
Ferozepore ‡...	483	602	726	359
Mooltan	237	368	412	193
Jhelum	498	699	951	246
Rawalpindi	204	376	426	154
Derajat	249	519	684	84
Peshawar	10	441	395	56
Total ...	3,025	7,278	8,298	2,005

* This includes the work of the Divisional Judge and Additional Divisional Judge of the Hoshiarpur division and of the Divisional Judge of Kullu.

† An Additional Divisional Judge was employed in this division for eight months.

‡ Ditto ditto ditto two ditto.

Disposal of business in Divisional Courts.

58. The large amount of business disposed of in the Amritsar division is due to the fact that an Additional Divisional Judge was attached to the division for eight months of the year. Similarly in the Ferozepore division, an Additional Judge worked for about two months of the year. The arrangements made recently to equalise the work in the Lahore, Amritsar, Amballa, Jullundur, Jhelum, Sialkot and Rawalpindi divisions, by requiring the Judges of divisions in which the business was light to take over a portion of the work of adjoining divisions in which the work was heavy, have so far proved satisfactory, but their full effect will not be seen until the returns for the current year are received. A special report on the working of Divisional Courts during the year was submitted with my letter No. 2155, dated the 27th April 1891.

Disposal of cases under section 551, Civil Procedure Code

59. The following statement, prepared from the monthly returns, shows the number and percentage of appeals disposed of under section 551 of the Code of Civil Procedure, without calling upon the respondent :—

Division.	Disposed of under section 551, Civil Procedure Code.	Percentage disposed of without calling upon respondents.
Delhi	170	30
Amballa	88	11
Jullundur	198	35
Hoshiarpur	282	31
Amritsar	180	16
Sialkot	342	56
Lahore	28	6
Ferozepore	201	26
Mooltan	74	16
Jhelum	171	19
Rawalpindi	34	5
Derajat	46	6
Peshawar	267	65

According to these figures, the Divisional Judges of Sialkot, Hoshiarpur and Peshawar disposed of the largest number of cases without calling upon the respondent. In the percentage of disposals under this section, the Peshawar division takes the lead with 65 per cent, while in the Rawalpindi division only 5 per cent were so disposed of. These figure show wide differences in the practice of the courts in dealing with appeals. In some a very large proportion of cases is thrown out *in limine*, while in others the respondent is summoned and heard in nearly every case. More discrimination in dealing with appellate work appears to be called for in some courts.

Percentages of orders reversed or varied

60. The percentages of orders reversed or varied to the total number of appeals disposed of by each court were as follows :—

	Percentage.	
	Varied.	Reversed.
Delhi	9	16
Amballa	8	20
Jullundur	3	21
Hoshiarpur (including Kullu)	7	19
Amritsar	7	19
Sialkot	4	16
Lahore	9	26
Ferozepore	2	25
Mooltan	10	18
Jhelum	7	23
Rawalpindi	4	21
Derajat	3	18
Peshawar	5	15
Average for the province ...	6	20

In the Sialkot and Peshawar divisions, only 20 per cent of the orders of the lower courts were interfered with, while in the Lahore, Jhelum, Amballa and Mooltan divisions, the percentage of decisions varied or reversed was 35, 30, 28 and 28 respectively.

Average duration

61. The average duration of appeals in Divisional Courts has fallen from 140 days in the year 1889 to 117 in the year under report. In the year 1888, the average duration was 144 days. The average duration was highest in Ferozepore (239 days), Mooltan (187 days), Rawalpindi (176 days), Amritsar (162 days), and Jhelum (148 days). The average duration was lowest in Kullu (15 days). The reason for the high average duration in several courts is that a large part of the arrears of past years has been disposed of.

62. The following table shows how appeals were disposed of :—

Manner of disposal.

	Percentage. 1889.	1890.
Transferred, struck off for default, or otherwise not prosecuted. ...	6·5	5·4
Order of the lower court upheld ...	60·9	60·1
Ditto ditto modified ...	5·6	6·4
Ditto ditto reversed ...	20·9	20·0
Cases remanded under section 562, Civil Procedure Code. ...	6·1	8·1

These results do not appear to call for remark.

63. The following statement gives the value and cost of appeals disposed of by Divisional Courts, with percentages of cost to value :—

Value and cost of appeals in Divisional Courts.

Scale of valuation.	Number of appeals.		Aggregate value of appeals.		Aggregate cost of appeals.		Average value of appeals.		Average cost of appeals.		Percentage of cost to value.	
	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.	In suits for money or moveable property.	In other suits.
			Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Not exceeding Rs. 10	10	1,153	47	5,871	40	5,302	4	5	4	4	85	90
" " 50	100	1,828	3,600	53,365	704	18,783	36	29	7	10	19	35
" " 100	100	1,009	9,255	75,111	1,267	17,804	92	75	13	17	14	23
" " 500	371	1,547	1,05,432	3,58,632	12,234	53,014	284	230	33	34	11	15
" " 1,000	178	143	1,84,115	99,049	16,446	13,957	753	692	92	97	12	14
" " 5,000	92	52	1,82,118	102,144	21,774	10,106	1,979	1,964	232	194	11	9
Appeals of which the value cannot be fixed ...	57	1,288	...	...	1,043	35,497	...	...	18	27	...	...
Total ... 1890	908	7,020	4,34,567	6,94,174	53,528	1,54,463	510	121	59	22	12	22
Total ... 1889	950	7,243	4,45,912	7,94,663	52,844	1,64,765	498	127	55	23	11	20

64. The number of miscellaneous appeals of a civil nature for disposal by Divisional Courts fell from 781 in 1889, to 753 in 1890; 686 of these were from orders under section 588 of the Civil Procedure Code; 631 appeals were disposed of against 635 in the previous year. The pending file was 122, or 24 less than in the previous year; 40 of the pending cases had been pending for more than three months. The average duration was 86 days as against 90 in the preceding year.

Miscellaneous appeals.

PART IV.—CIVIL BUSINESS OF THE CHIEF COURT.

65. The following figures give the institutions of civil business in the Chief Court, for each of the last five years :—

Institution of civil business in the Chief Court.

Year.	Original civil suits.	Appeals from decrees.	Appeals from orders.	Applications for revision.	Miscellaneous cases. References under sections 617 and 646 B of the C. P. C. & sections 99 & 100 of the Tenancy Act.	Miscellaneous cases. Others.
1886	3	2,671	303	1,391	586	...
1887	5	1,858	277	1,087	618	...
1888	4	2,104	271	1,189	89	744
1889	5	1,282	143	1,838	91	784
1890	5	1,357	198	1,713	108	631
Difference in 1890, compared with 1889 ...	...	+75	+55	−125	+17	−153

The total number of appeals was 1,555, as against 1,425 in the preceding year. The figures for the last two years represent the income of appellate business under Act XIII of 1888. Applications for revision are very numerous notwithstanding the discouragement given to them by the rules requiring security to be found before their admission.

Appeals from decrees and orders.

66. The following table shows the number of appeals from decrees and orders above and below Rs. 5,000 in value, respectively :—

Description of appeal		1889.	1890.
Appeals from decrees.	First appeals (where value of suit is Rs. 5,000 or more) ...	107	65
	Further appeals (where the value is under Rs 5,000)	1,139	1,184
Appeals from orders.	First appeals (where the value of the subject-matter is Rs. 5,000 or more or from an order passed under a special act) ...	73	81
	Further appeals	70	116
Appeals on certificate of Divisional Judge		36	109

General statement of civil appellate work.

67. The following is a general statement of civil appellate work in the Chief Court, showing the institutions and disposals, with the manner of disposal of appeals from decrees and orders :—

1	2	3	4	5	6	7	8	9	10	11	12	13
Description of appeal.	Year.	Number of appeals instituted..	Number of appeals for disposal.	Number of appeals disposed of.	Percentage of appeals. Transferred.	Dismissed for default.	Rejected.	Confirmed.	Modified.	Reversed.	Remanded.	Average duration.
First appeals. From decrees ...	1889	107	275	132	5	4	8	33	22	17	11	474
From orders ...	1889	73	118	77	3	9	26	21	1	23	17	195
Total ...	1889	180	393	209	4	7	15	27	14	20	13	372
From decrees ...	1890	65	208	117	3	11	9	37	10	27	3	584
From orders ...	1890	81	122	100	14	4	33	22	1	15	11	172
Total ...	1890	146	330	217	8	8	20	30	6	22	6	376
Further appeals. From decrees ...	1889	1,175	3,062	1,876	1	4	21	32	9	26	7	432
From orders ...	1889	70	124	103	...	6	33	23	3	17	18	185
Total ...	1889	1,245	3,186	1,979	1	5	21	31	8	26	8	419
From decrees ...	1890	1,292	2,478	1,385	..	2	33	30	6	24	5	358
From orders ...	1890	117	138	90	1	2	49	16	1	14	17	130
Total ...	1890	1,409	2,616	1,475	...	2	34	29	6	23	6	342
Grand total ...	1889	1,425	3,579	2,188	1	5	21	31	9	25	8	414
	1890	1,555	2,946	1,692	1	3	32	29	6	23	6	346

68. Tables A and B show, in abstract form, the total appellate business for disposal and disposed of, including the pending file at the close of the year 1889, and details of the pending file as it stood on the 31st December 1890:—

Appeals for disposal and disposed of; pending file.

A.—APPELLATE BUSINESS FOR DISPOSAL AND DISPOSED OF DURING THE YEAR 1890.

1	2	3	4	5	6	7	8
For disposal.			Disposed of.				
Pending.	Instituted.	Total.	Rejected without summoning respondent.	By a single Judge after summoning respondent.	By a Bench after summoning respondent	Pending at the close of the year.	Total.
1,391	1,555	2,946	582	259	851	1,254	2,946

B.—DETAIL OF PENDING FILE ON 31ST DECEMBER 1890 SHOWN ABOVE (COLUMN 7).

Appeals not admitted or rejected on 31st December 1890.	Appeals admitted to a Bench.	Appeals admitted to a single Judge.	Total pending.
248	911	95	1,254

Of the 911 Bench cases, 29 were admitted to a hearing before a Bench prior to the introduction of Act XIII of 1888.

69. The following table gives details of disposal of civil appeals for each of the last three years:—

Details of disposal of civil appeals.

Year.	Number of appeals.			
	Rejected by a single Judge in chambers.	Decided in court.		Total.
		By a single Judge.	By a Bench.	
1888 ...	1,087	104	1,305	2,496
1889 ...	557	484	1,147	2,188
1890 ...	582	259	851	1,692

The large decrease in the amount of work disposed of is accounted for by the fact that there were six Judges attached to the court for seven and a half months of the year 1889, while since the vacation of 1889, the court has consisted of five Judges only.

Further details as to disposal of civil appeals are given in the following figures:—

Year.	Chamber work. Number of appeals. Rejected at a preliminary hearing in chambers.	Decided by a single Judge after notice to respondent.	Admitted to hearing before a Bench.	Admitted to hearing before a single Judge after notice.	Total.	Number of appeals decided by Benches.
1888	1,087	104	1,287		2,478	1,305
1889	557	484	663	173	1,877	1,147
1890	582	259	716	258	1,815	851

70. The pending file compared with previous years was as follows:—

Pending file

Year.	Number of appeals pending. In chambers.	Before court.	Over 3 months.	More than a year.
1888	219	1,934	1,778	880
1889	249	1,142	1,120	549
1890	248	1,006	1,012	365

71. The following table gives details regarding the value and cost of appeals decided during the year:—

Value and cost of appeals.

Scale of valuation.		Number of appeals: For money or moveable property.	In other suits.	Aggregate value of appeals: For money or moveable property.	In other suits.	Aggregate cost of appeals: For money or moveable property.	In other suits	Average value of appeals: For money or moveable property	In other suits	Average cost of appeals: For money or moveable property.	In other suits	Percentage of cost to value: For money or moveable property.	In other suits
				Rs	Rs	Rs	Rs	Rs	Rs.	Rs.	Rs.	Rs.	Rs.
Not exceeding Rs.	10	...	19	...	118	...	242	...	6	...	13	...	205
" "	50	1	114	15	3,848	12	1,792	15	34	12	15	80	47
" "	100	4	139	329	10,190	77	2,546	82	73	19	18	23	25
" "	500	26	428	8,564	1,14,290	1,325	12,154	329	266	51	28	15	10
" "	1,000	28	265	19,942	2,12,230	2,578	11,809	712	801	92	45	13	5
" "	5,000	74	272	1,44,304	5,41,108	13,374	21,846	1,950	1,989	180	80	9	4
" "	10,000	15	47	85,562	3,39,600	6,657	9,706	5,704	7,225	444	206	8	3
" "	1,00,000	16	17	3,16,300	2,78,283	11,296	3,521	19,769	16,369	706	207	3	1
Exceeding "	1,00,000	...	1	...	1,53,597	...	3,985	...	1,53,597	...	3,985	...	2
Appeals of which the value cannot be fixed.		...	30	...	...	...	1,197	..	...	...	40	...	...
Total ...	1890	164	1,332	5,75,016	16,53,264	35,319	68,798	3,506	1,269	215	52	6	4
	1889	250	1,739	4,34,398	14,41,518	37,600	79,148	1,787	912	150	45	8	5

Revision.

72. The following statement gives details of the disposal of applications for revision, under section 622 of the Civil Procedure Code, for the last two years :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	For disposal.			Sent to a Bench.		Rejected in chambers.		Dismissed by a Bench.		Order of lower court.				
Year.	Pending from last year.	Instituted during the year	Total.	Without calling for files.	After calling for files.	Without calling for files.	After calling for files.	In default.	On the merits.	Modified.	Reversed.	Remanded for fresh decision.	Total disposed of.	Pending at the end of the year.
1889 ...	231	1,838	2,069	212	97	1,098	270	11	141	7	42	148	1,712	357
1890 ...	357	1,713	2,070	225	114	1,178	303	5	156	9	64	140	1,855	215

Other civil business.

73. Other civil business disposed of by the Chief Court during each of the last two years is shown below :—

Description of suits.	1889.	1890
Original matrimonial cases	1	1
References under section 17, Act IV of 1869 ...	3	2
Uncontested applications for probate and letters of administration	11	14
Contested ditto ditto	1	...
References under section 617, Civil Procedure Code ..	13	16
Applications for review, for permission to appeal as a pauper, to stay execution of decree and other miscellaneous applications	827	699
Total ...	856	732

PART V.—GENERAL.

Process-serving establishment.

74. The annexed statement shows, for District Courts, the process-serving establishment, the number of processes issued, and the receipts and expenditure for 1889 and 1890 :—

Year.	Establishment.				Number of processes issued.			Value of stamps for the service of processes filed during the year.	Total expenditure.
	Nazirs.	Naib-nazirs.	European process servers.	Peons.	Civil.	Criminal.	Revenue.		
								Rs	Rs.
1889	31	195	13	2,061	1,333,649	156,764	162,379	4,26,473	1,95,700
1890	31	244	13	1,912	1,345,628	159,769	139,025	4,38,292	1,91,332

In Divisional Courts the sum of Rs. 7,156 was realized from process fees, as against Rs. 7,372 in the previous year; while the sum of Rs. 3,236 was expended on establishments and postage, as against Rs. 3,299 in the previous year.

In Commissioners' Courts the sum of Rs. 1,710 was realized on account of process fees, while the sum of Rs. 1,441 was expended on establishments and postage.

In the Chief Court the sum of Rs. 3,920 was realized as against Rs. 3,509 in the previous year, of which the sum of Rs. 182 was expended on postage. The net profit to Government from the service of processes was Rs. 2,54,887 as against Rs. 2,39,812 in the previous year.

Revision of process-serving establishments.

75. District establishments paid from process fees were subjected to careful revision during the year, in accordance with the orders passed on the proposals submitted by the Judges. The effect of the changes made has been to raise the expenditure on such establishments from Rs. 1,85,364 to 1,98,396. The number of process-servers has been reduced from 2,064 to 1,784, or by 280. One hundred and two execution bailiffs on Rs. 8 per mensem have been appointed. A civil Nazir has been supplied to each district and the Naib-Nazir agency has been strengthened.

Change of system in service of processes alluded to.

76. The system of localizing the service of processes at tahsils, so that a central agency at each tahsil receives and serves the processes of all courts on persons residing within the tahsil, has been generally introduced. Certain detailed measures in connection with these arrangements have just been disposed of under the orders of Government.

Improvements effected.

77. It is hoped that the strengthening of the establishments and the improvements effected in the system will result in greater efficiency in the service of processes and execution of decree proceedings. The orders on the subject were, however, only received towards the close of the year under report, and their full effect still remains to be seen.

Fees for inspection of records.

78. The income for the last two years in Divisional and District Courts from fees for the inspection of records, and the expenditure under the same head were as follows :—

		Income derived from inspection fees.	Expenditure on establishment &c. &c.	Balance credited to Record Office Fund.
Divisional Courts	1889 ...	8,234	5,058	3,176
	1890 ...	8,697	5,008	3,689
Difference		+463	−50	+513
District Courts	1889 ...	15,698	7,172	8,526
	1890 ...	14,740	7,158	7,582
Difference		−958	−14	−944

Record Office Funds.

79. Measures have been taken to place the Record Office Funds of Divisional and Small Cause Courts on a proper footing. The income derived from inspection fees and the record office fees levied on copies supplied, is devoted to expenditure on improving the record offices of the various courts, and in meeting the convenience of litigants in various ways in accordance with rules made in that behalf.

Inspection of courts.

80. In the following districts the inspection of subordinate courts does not appear to have received sufficient attention :—

Amballa.	Gujranwala.
Simla.	Hissar.
Amritsar.	Jhelum.

It is very desirable that Divisional and District Judges should occasionally visit and examine the records and registers of subordinate courts; at the same time it is difficult for the District Judges of some of the larger districts, and for the Divisional Judges of divisions in which work is heavy, to find time for such inspections without interfering with the disposal of business in their own courts. Some officers devote a portion of their civil holidays to the duty of inspecting subordinate courts and on the whole the supervision exercised has been fairly satisfactory. Special orders for the inspection of the accounts and registers of Nazirs were issued in connection with irregularities which had been brought to light in one or two districts, and the returns made show that greater attention is now being paid to the supervision of the pecuniary transactions of the courts. The views of the Judges on this subject have already been communicated to Government.

Extracts from reports.

81. The usual selections from divisional and district reports are attached to this report.

District and divisional reports noticed.

82. The reports received from most districts and divisions were sufficiently full and complete; those submitted by the District Judges of Lahore, Ludhiana and Montgomery, and by the Divisional Judges of Delhi, Rawalpindi and Mooltan, call for special notice as having been very carefully drawn up.

I have the honor to be,

Sir,

Your most obedient servant,

E. W. PARKER,

Registrar, Chief Court, Punjab.

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APPENDIX A TO THE CIVIL REPORT FOR 1890.

NOTE ON THE DISPOSAL OF LAND SUITS AND THE STATE OF BUSINESS IN CERTAIN COURTS DURING THE YEAR 1890.

APPENDIX A.

Note on the disposal of land suits and the state of business in certain courts during the year 1890.

Registrar, Lahore Small Cause Court.

I. *A Registrar* has been sanctioned for the Lahore Court of Small Causes, and the Munsif hitherto employed there has been set free and posted to the Sialkot and Gujranwala districts, to work for three months at the head-quarters of each district alternately, or in such manner as may be found most suitable.

Land suits.

II. *Land suits.*—The instructions issued during the year 1890 have resulted in a decided improvement in the distribution of land suits amongst the several classes of courts.

The number of land suits instituted during the year was as follows :—

Not exceeding				Rs.	10 in value	...	3,063
Exceeding Rs.		10 but not exceeding		"	50 "	...	5,224
"	"	50	"	"	100 "	...	3,440
"	"	100	"	"	500 "	...	4,642
"	"	500	"	"	1,000 "	...	1,571
"	"	1,000	"	"	5,000 "	...	607
"	"	5,000	"	"	10,000 "	...	33
"	"	10,000	"	"	1,00,000 "	...	13
Suits of which the value cannot be fixed				...	...	...	625
					Total	...	19,218

District and Sub Judges.

III. *District and Sub-Judges* have disposed of fewer land suits than in the preceding year; the numbers being 2,173 in 1890 against 2,385 in 1889. There were only 3,981 civil suits of all kinds which were above Rs. 1,000 in value during the year 1890; this number included 653 land suits and 625 suits of which the value cannot be fixed.

The District Judge and Sub-judge agency (31 officers and 6 special Sub-judges) must necessarily be sufficient to dispose of the whole of the suits above Rs. 1,000 in value, and under existing arrangements the work is done; but having regard to the above figures and to the heavy appellate work these courts have to deal with, it is not possible to expect them to dispose of many cases of less than Rs. 1,000 in value.

Assistant and Extra Assistant Commissioners

IV. *Assistant and Extra Assistant Commissioners* have disposed of 8,425 land suits in the year 1890 as compared with 5,784 in the preceding year. This shows a great improvement. This agency disposed of 19,255 civil cases of all kinds during the year, against 16,892 in 1889.

There were 3,865 civil suits of all kinds above Rs. 500 and not exceeding Rs. 1,000 in value; of these 1,571 were land suits. There were also 4,642 land suits exceeding Rs. 100, but under Rs. 500 in value. Thus there were 8,507 suits which this agency should be required to take up to the exclusion of other agencies; they should also take up some important suits below Rs. 500 in value. This agency has thus done a very much more satisfactory share of work than in the year 1889, but it is quite capable of disposing of more, as 19,255 cases represent 154 per officer (on an average of 125 such officers employed on civil work), and it would certainly not be a high estimate to expect each officer to dispose of 15 cases a month for 11 months in each year. This would give 20,625 cases.

The number of land cases disposed of by this agency was apparently inadequate in the following districts :—

	Total number.	Disposed of by this agency.
Kangra	670	147
Amritsar	1,394	498
Sialkot	1,521	363
Ferozepore	1,258	196
Jhelum	897	161
Rawalpindi	1,234	283
Peshawar	695	132

The inadequacy of the staff of Extra Assistant Commissioners in the following districts, namely :—Delhi, Amballa, Amritsar, Lahore, Ferozepore and Rawalpindi was brought to the notice of Government in this office No. 5596, dated the 17th December 1890. The subject is believed to be under the consideration of His Honour the Lieutenant-Governor at the present time.

V. *Tahsildars.*—These officers do not dispose of a fair proportion of land suits. The 126 Tahsildars of the province disposed of 3,839 land suits, or 30 to each officer for the year, being less than 3 a month. There were 11,727 land suits of Rs. 100 and under in value, and the Tahsildars could, with the greatest ease, have disposed of the whole of these. It would only give them 93 cases per man per annum, or 8 or 9 cases per man per month excluding September. Tahsildars disposed of 11,727 *other* civil suits besides 3,839 *land* suits, and it would be better to relieve them of the former and give them all the latter up to Rs. 100 (and perhaps even up to Rs. 300) in value. This would give them only about 13,000 or, 14,000 civil cases against 15,566 as at present. Tahsildars are constantly on tour and can thus investigate land cases on the spot; they are familiar with land tenures; and the Revenue Records and Patwari agency are under their direct control. They are thus in possession of special knowledge and facilities for the disposal of land suits.

Tahsildars.

The number disposed of in each district by this agency was:—

District.	Number of Tahsildars.	Civil suits of all kinds disposed of by Tahsildars.		Land suits disposed of by Tahsildars.	
		Number of cases.	Number per Tahsildar per annum.	Number of cases.	Number per Tahsildar per annum.
Dehli	3	272	91	45	15
Gurgaon	5	1,231	246	29	6
Rohtak	4	125	31	33	8
Karnal	3	215	71	...	...
Amballa	6	304	50	129	21½
Ludhiana	3	100	33	96	32
Simla	2	127	63	...	...
Jullundur	4	398	99	385	96
Hoshiarpur	4	839	209	626	156
Kangra	4	...	..	...	...
Kullu	1	832	832	33	33
Amritsar	3	2	1	2	*less than* 1
Gurdaspur	4	403	101	114	28½
Sialkot	5	362	72	247	49
Gujranwala...	3	237	79	21	7
Lahore	4	357	89	222	55½
Ferozepore	5	856	171	158	31
Hissar	6	518	86	72	12
Mooltan	5	1,462	292	46	9
Jhang	3	406	135	39	13
Montgomery	4	892	223	2	½
Muzaffargarh	3	398	132	58	19
Jhelum	4	255	64	45	11
Gujrat	3	288	96	88	29
Rawalpindi...	7	920	131	357	51
Shahpur	3	488	162	141	47
Dera Ismail Khan	5	1,125	225	84	17
Dera Ghazi Khan	4	485	121	81	20
Bannu	4	798	199	220	55
Peshawar	6	634	105	368	61
Hazara	3	109	36	83	27
Kohat	3	128	42	15	5
Total ...	126	15,566	123	3,839	30

Thus the only districts in which Tahsildars did at all a reasonable proportion of land cases were Jullundur and Hoshiarpur, and even in these they could easily have done more. In the following twelve districts Tahsildars did only one land case per month or less:—

Gurgaon	6	Mooltan	9
Rohtak	8	Montgomery	½
Karnal	...	Jhelum	11
Kangra	...	Kohat	5
Gujranwala	7	Amritsar	1
Hissar	12	Simla	..

In the following 13 districts Tahsildars did more than 1 but less than 4 such cases a month :—

Dehli ...	... 15	Gurdaspur...	... 28
Amballa ...	... 21	Ferozepore...	... 31
Ludhiana ...	... 32	Jhang ...	... 13
Kullu ...	... 33	Muzaffargarh	... 19
Dera Ismail Khan	... 17	Gujrat ...	... 29
Dera Ghazi Khan	... 20	Shahpur ...	... 47
Hazara ...	... 27		

In only 7 districts, therefore, did Tahsildars do even 50 such cases a year per man.

Munsifs

VI. *Munsifs*—Excluding the work of Small Cause Courts and land suits, there were 196,022 civil suits of under Rs. 500 in value, which Munsifs should have taken up. There were also 11,727 land suits of less than Rs. 100 in value; making 207,749. Tahsildars took 15,566 of these. The Munsifs, 83 in number, disposed of 180,599, or 2,176 cases per Munsif. This was heavy work.

In the following districtsnsifs were requir Mued to dispose of too large a proportion of land suits :—

District.	Number of Munsifs.	Total number of land cases disposed of by Munsifs.	Number of land cases per Munsif.
Kangra	2	394	197
Amritsar	5	861	172
Sialkot	6	701	117
Ferozepore	4	661	165
Jhelum	3	573	191
Gujrat	3	429	143
Rawalpindi	4	561	140
Hazara	1	367	367

It has been shown that the Tahsildar agency is amply sufficient to dispose of all land suits below Rs. 100 in value. Provided however, that, not more than 100 land suits of small value (under Rs. 100) are given to Munsifs, the following Munsifs are insufficiently worked :—

District.	1890.		Average umber of cases for 5 years 1886—90.
	Land suits.	Total.	
Rohtak	40 out of	1,687	1,653
Jhajjar-*cum*-Rewari (Rohtak and Gurgaon) ...	46 „	1,292	274
Karnal	...	1,683	1,904
Amballa Sadr	276 „	1,013	2,011
Jullundur Sadr	235 „	1,460	1,718
Ferozepore Sadr	182 „	1,217	2,299
Rawalpindi (Fatehjang)	102 „	1,500	1,467
Dera Ghazi Khan	30 „	1,632	1,890
Bannu	19 „	1,554	1,835
Mianwali (Bannu)	49 „	1,671	1,562
Mardan (Peshawar)	45 „	1,474	1,458
Kohat	...	1,153	1,267

If the Tahsildars of the Gurgaon and Rohtak districts disposed of 25 or 30 civil cases each per mensem, the Munsif of Jhajjar and Rewari would be set free.

The extra Munsif lent to the Amballa district may be removed when Munsifs are duly relieved of land suits, and Tahsildars are given a proper proportion of civil work including land cases A report will be called for. The Jullundur and Ferozepore districts also have too much Munsif power, and when the staff of Extra Assistant Commissioners is permanently strengthened and the Tahsildars are made to take up a reasonable amount of civil work (including land cases), a Munsif can be set free from each district ; *but not immediately.*

One Munsif has been given up by the District Judge of Rawalpindi on his own motion, after re-arrangement of land suits.

In the Dera Ghazi Khan, Peshawar and Kohat districts, the Munsifs are somewhat lightly worked but cannot be altogether spared at present. They might be given powers up to Rs. 1,000, but should not take more than the number of land suits allowed (100 per annum of under Rs. 100 in value.)

Two Munsifs can thus be set free at once, besides the Munsif removed from the Lahore Small Cause Court. This makes three.

In the following districts the proportion of land suits made over to Munsifs is not heavy, but the number of small causes and unclassed suits under Rs. 500 in value is more than can be dealt with by the present staff of Munsifs :—

Gurdaspur.—Requires an additional Munsif for whom there will be plenty of work. The Munsif set free from Jhajjar and Rewari can be sent here.

Sialkot and Gujranwala.—Another Munsif is wanted for these two districts, he can work for 3 months alternately in each. The Munsif taken from the Lahore Small Cause Court has just been sent there.

Mooltan, Jhang and Muzaffargarh.—An additional Munsif is required to work for 4 months at a time in each of these districts. The Munsif set free at Rawalpindi is being sent here.

In the Amritsar district the business has been badly distributed amongst the Munsifs, and they have been given too many land suits. The Munsif of Tarn Taran disposed of 3,449 cases, while the three Sadr Munsifs did under 2,000 cases each. The Munsifs were required to do 861 land suits. There are quite enough small causes and unclassed suits for all the Munsifs and not more than 400 or 500 land suits should be made over to them in any year ; the work must also be more evenly distributed.

The distribution has not been at all equal in the Lahore district ; and might have been better in the Rawalpindi district.

In the Hoshiarpur district the Una Munsif has not enough work. It would be sufficient if he were retained for ½ or ⅔rds of each year at Una, and were brought into head-quarters to assist the other Munsifs there for the remaining period.

Book Circular XX of 1890.

VII. No applications have been made to invest Tahsildars with power to hear cases up to Rs. 500 in value in view to their taking up a larger proportion of land suits. In other respects the orders issued in Book Circular XX of 1890 appear to have been attended to in most districts.

E. W. PARKER,

Registrar, Chief Court,

Punjab.

Statement A.

NUMBER OF CASES DISPOSED OF BY EACH MUNSIF'S COURT DURING EACH OF THE YEARS 1886, 1887, 1888, 1889, AND 1890.

District.	Munsiff's court.	*Number of cases disposed of, small causes, land suits and unclassed suits.*				*Number of cases disposed of during 1890.*				Remarks.
		1886.	1887.	1888.	1889.	Small causes.	Land suits.	Unclassed suits	Total.	
Delhi	Delhi ...	1,791	1,816	2,016	1,960	1,705	56	68	1,829	Cases difficult.
Gurgaon	Rewari ..	..	...	37	310	292	7	19	318	See Jhajjar.
Rohtak	Rohtak .	1,605	1,208	1,840	1,926	1,595	40	52	1,687	Light.
	Jhajjar ..	1,648	1,198	1,024	863	915	39	20	974	See Rewari Work insufficient.
Karnal	Karnal ..	1,879	1,886	2,147	1,924	1,538	...	145	1,683	Light.
Amballa	Amballa ..	2,421	2,376	2,112	2,132	568	276	169	1,013	Not enough for two Munsifs.
	Do ...	...	...	...	74	2,091	...	5	2,096	Too many land cases.
	Jagadhri .	2,085	2,592	3,060	2,733	2,060	11	17	2,088	
	Rupar ...	2,109	2,192	2,147	2,330	1,696	30	299	2,025	
Ludhiana	Ludhiana ...	1,813	1,896	8,353	1,800	1,529	64	211	1,804	Light.
	Do. .	1,697	1,851		1,758	1,452	117	215	1,784	Light.
	Jagraon .	2,221	2,192		1,980	1,861	101	196	2,158	
	Samrala ...	1,981	2,023		1,898	1,684	75	119	1,878	Light.
Jullundur	Jullundur ...	1,655	1,737	1,609	2,130	971	235	254	1,460	Too many land suits. Light work Difficult cases.
	Do .	1,770	1,745	1,703	1,806	1,569	59	103	1,731	Light.
	Do. .	1,928	1,836	1,963	1,111	1,721	52	176	1,949	Light.
	Nakodar ..	1,909	2,236	2,040	2,192	2,016	66	141	2,223	
	Phillour .	1,864	1,716	2,204	2,127	1,995	43	139	2,177	
	Nawashahr...	1,798	1,968	1,853	1,680	1,635	47	135	1,817	Light.
	Banga	1,987	2,011	1,931	2,020	297	29	8	334	Munsif removed.
Hoshiarpur	Hoshiarpur ..	1,825	1,426	1,254	2,030	1,865	56	94	2,015	
	Do. ...	1,806	1,665	1,626	2,557	777	29	66	872	Munsif removed.
	Do.	2,035	2,320	2,474	...	1,227	35	108	1,370	Light.
	Dasuhya ...	2,179	2,286	2,182	2,447	2,243	45	171	2,459	Heavy.
	Unah ..	1,971	1,854	1,930	1,801	1,862	39	93	1,994	
	Garshankar...	2,555	2,343	2,028	2,440	1,889	50	61	2,000	
	Tanda ...	2,256	2,158	2,169	2,309	2,134	71	105	2,310	Heavy.
Kangra	Kangra .	2,156	1,996	2,069	2,166	1,722	227	42	1,991	Has too many land suits.
	Do. (Dehra),	...	...	434	1,986	1,507	167	63	1,737	Light.
Ferozepore	Ferozepore ...	2,386	2,574	2,661	2,661	901	182	134	1,217	Light. Cases difficult.
	Do .	...	...	...	495	1,911	109	106	2,126	
	Moga .	2,222	1,892	2,651	2,263	1,529	117	120	1,766	Light.
	Zirah ...	2,696	2,635	2,629	2,686	2,159	253	175	2,587	Heavy Too many land suits.
Hissar	Hissar ..	2,242	1,557	1,950	1,449	1,844	55	400	2,299	

STATEMENT A—*continued*

District.	Munsif's court.	Number of cases disposed of, small causes, land suits and unclassed suits.				Number of cases disposed of during 1890.				Remarks.
		1886.	1887.	1888.	1889.	Small causes.	Land suits.	Unclassed suits.	Total.	
Amritsar ...	Amritsar ...	1,554	1,738	1,772	1,308	1,380	173	159	1,712	Too many land suits. Cases difficult. Business very unequally distributed.
	Do. ...	1,513	1,711	2,470	1,833	1,438	139	130	1,707	
	Do ...	1,676	1,569	2,086	1,787	1,405	234	212	1,851	
	Tarn Taran ...	2,074	2,310	3,119	4,071	3,149	206	94	3,449	
	Ajnala ...	2.167	2,362	2,576	3,031	2,148	109	103	2,360	
Gurdaspur ...	Gurdaspur, ...	2,325	2,235	2,711	2,547	2,412	16	137	2,565	Heavy.
	Batala ...	2,619	2,922	2,981	3.314	2,965	2	146	3,113	Too much.
	Do. ...	2,488	2,947	3,140	2,934	3,024	...	90	3,114	Too much.
	Shakargarh ...	2,293	2,213	2,947	3,203	3,124	...	64	3,188	Too much.
	Pathankot ...	2,392	2,561	2,653	2,331	2,181	47	64	2,292	
Sialkot	Sialkot. ...	1,947	2,359	2,130	2,159	1,615	171	148	1,934	Too many land suits. Cases difficult.
	Do. ...	2,210	2,301	2,354	2,443	1,984	112	195	2,291	
	Daska ...	2,114	2,572	2,779	2,502	1,972	75	59	2,106	
	Pasrur ...	2,001	2,845	3.132	2,477	1,943	132	127	2,202	
	Zaffarwal ...	1,754	2,427	2,583	2,557	1,994	119	106	2,219	
	Rayah ...	1,517	2,892	3,180	3,029	2,412	92	127	2,631	Heavy.
Gujranwala...	Gujranwala ...	2,797	3,315	3,276	2,871	3,150	18	101	3,269	Too much.
	Wazirabad ...	2,612	2,724	2,883	3,215	3,089	32	119	3,240	Too much.
	Hafizabad ...	2,025	2,560	2,766	3,106	2,529	49	84	2,662	Heavy.
Lahore ...	Lahore ...	1,477	1,792	1,831	2,056	1,703	22	196	1,921	Cases difficult.
	Kasur ...	2,264	2,460	2,891	2,639	2,565	...	136	2,701	Heavy.
	Chunian ...	1,761	1,873	2,419	2,056	1,923	21	33	1,977	Light.
	Sharkpur ...	1,909	2,377	2,664	2,615	2,237	20	25	2,282	
Mooltan ...	Mooltan ...	2,735	3,251	2,646	2,726	2,347	8	6	2,361	
	Do. ...	2,582	2,834	2,613	2,586	2381	8	3	2,392	
Jhang ...	Jhang ...	2,661	2,878	3,226	3,336	2,804	1	197	3,002	Too much.
	Chiniot ...	1,482	1,915	2,650	2,663	2,374	18	50	2,442	Heavy.
Montgomery...	Montgomery...	2,940	3,029	3,044	3,026	2,158	...	35	2,193	
Muzaffargarh	Muzaffargarh,	3,754	2,369	1,650	1,401	3,019	6	13	3,038	Too much.
	Do. ...	...	1,853	1,908	2,183	...	...	...	...	
	Alipur ...	2,723	2,546	2,529	2,126	2,551	15	4	2,570	Heavy.
Rawalpindi	Rawalpindi ...	2,043	1,932	2,037	1,759	1,737	109	82	1,928	Can spare one Munsif.
	Do. ...	1,849	1,835	1,842	2,581	2,223	166	77	2,466	
	Fattehjang ...	1,158	1,532	1,596	1,552	1,316	102	82	1,500	
	Gujarkhan ...	1,703	1,754	2,034	2,115	2,145	184	173	2,502	
Jhelum ...	Jhelum ...	1,201	1,325	1,063	1,298	1,624	107	108	1,839	Light.
	Pind Dadan-khan.	1,983	1,995	2,040	2,046	1,908	262	119	2,289	
	Chakwal ...	1,955	1,831	2,086	2,375	2,108	204	143	2,455	

STATEMENT A—*concluded.*

District.	Munsif's court.	Number of cases disposed of, small causes, land suits and unclassed suits.				Number of cases disposed of during 1890.				Remarks.
		1886	1887.	1888.	1889.	Small causes.	Land suits.	Unclassed suits.	Total.	
Gujrat ...	Gujrat ...	2,034	2,053	2,176	2,186	2,289	110	73	2,472	
	Jalalpur ...	2,657	3,177	2,771	2,423	1,753	213	88	2,054	
	Dinga ...	2,351	2,604	2,318	2,351	2,512	106	102	2,720	Very heavy. Should get no land suits.
Shahpur ...	Shahpur ...	2,309	2,700	2,277	2,654	2,831	47	69	2,947	
	Bhera ..	2,525	2,545	2,243	2,367	2,404	77	157	2,638	
D. I. Khan ...	Dera ...	1,825	2,048	2,041	2,107	2,078	...	...	2,078	Distribution uneven. Heavy.
	Bhakar (Karor)	2,472	2,771	2,679	2,561	2,625	...	35	2,660	
D. G. Khan ...	D. G. Khan ...	1,980	1,924	1,910	2,005	1,520	30	82	1,632	Light.
	Jampur—Fazilpur.	1,435	1,759	1,909	1,703	1.662	102	65	1,829	Light.
Bannu ...	Bannu ..	2,030	1,882	2,115	1,597	1,504	19	31	1,554	Light.
	Mianwali ...	1,926	1,404	1,482	1,330	1,492	49	130	1,671	Light
Peshawar ...	Peshawar ...	2,242	2,431	2,442	2,037	1,973	5	19	1,997	Light.
	Mardan ...	1,285	1,382	1,739	1,414	1,381	45	48	1,474	Too little.
Hazara ...	Haripur ...	1,730	1,447	1,586	1,887	1,617	367	202	2.186	Too many land cases but not too much work.
Kohat ...	Kohat .	1,262	1,238	1,312	1,373	1,122	...	31	1,153	Too little.
	Total of Munsif's work.	...	...	..	186,496	164,560	6,931	9,108	180,599	
	Total of all other courts.	...	...	...	68,498	49,438	15,167	8,062	72,667	
	Grand total	...	...	...	254,994	213,998	22,098	17,170	253,266	

Statement B.

LAND SUITS DISPOSED OF DURING THE YEAR 1890.

District.	District Judges.	Sub-Judges with Appellate powers.	Assistant and Extra Assistant Commissioners.	Small Cause Courts.	Munsifs.	Tahsildars.	Honorary Judges.	Total.
Delhi	51	...	50	...	56	45	86	288
Gurgaon	...	101	20	...	7	29	6	163
Rohtak	...	112	198	...	79	33	...	422
Karnal	...	182	70	...	...	...	1	253
Amballa	37	..	367	...	317	129	96	946
Ludhiana	32	...	324	...	357	96	27	836
Simla	...	...	...	...	...	...	...	...
Jullundur	42	...	513	...	531	385	...	1,471
Hoshiarpur	44	...	749	...	325	626	...	1,744
Kangra	46	...	147	...	394	...	83	670
Kullu	87	...	2	...	...	33	...	122
Amritsar	33	...	498		861	2	...	1,394
Gurdaspur	..	94	1,073	...	65	114	...	1,346
Sialkot	...	203	363	...	701	247	7	1,521
Gujranwala	...	83	530	...	99	21	...	733
Lahore	42	32	179	...	63	222	125	663
Ferozepore	20	...	196	...	661	158	223	1,258
Hissar	74	65	179	...	55	72	...	445
Mooltan	...	69	221	...	16	46	...	352
Jhang	...	23	204	...	19	39	...	285
Montgomery	...	58	41	...	...	2	...	101
Muzaffargarh	...	43	208	...	21	58	...	330
Jhelum	4	114	161	...	573	45	...	897
Gujrat	...	50	476	...	429	88	...	1,043
Rawalpindi	31	2	283	...	561	357	...	1,234
Shahpur	7	27	165	...	124	141	6	470
Dera Ismail Khan ...	33	...	240	...	...	84	8	365
Dera Ghazi Khan ...	11	7	137	...	132	81	33	401
Bannu	44	67	328	...	68	220	2	729
Peshawar	145	...	132	...	50	368	...	695
Hazara	...	40	189	...	367	83	15	694
Kohat	...	18	182	...	...	15	12	227
Total ...	783	1,390	8,425	...	6,931	3,839	730	22,098

APPENDIX B TO THE CIVIL REPORT FOR 1890.

EXTRACTS FROM DIVISIONAL AND DISTRICT REPORTS.

APPENDIX B.

Extracts from Annual Civil Reports of Divisional and District Judges.

I.—ORIGINAL SUITS—INSTITUTIONS

DISTRICT JUDGE, GURGAON.

(Mr. J. R. Drummond).

There were 2,156 civil cases instituted during 1890 as compared with 2,431 in 1889.

The decrease is especially noticeable in suits brought by traders and money-lenders against agriculturists.

In this district it appears probable that there are two factors normally at work to produce fluctuations in the number of suits filed for arrears of advances made for necessaries or ordinary luxuries of life, or for agricultural purposes. On the one hand such advances are naturally most required and perhaps most frequently obtained in seasons of pressure. On the other hand the creditor is less ready to sue a careless or dishonest client when there is little chance of recovering something. Decrees are looked to chiefly as a means of furthering adjustment out of court on the proceeds of the harvest. So far as the second of these considerations goes, it is not difficult to account for the comparative falling off in suits against farmers and their tenants, because the spring crop was not a good one, and the autumn harvest, except in a limited area, was below the average, while heavy losses were entailed on particular localities.

It is safer than in most districts perhaps to frame inferences in Gurgaon in this connexion, because the resources of the rural population are more than ordinarily restricted to the outturn of the cultivated area.

Moreover the State, through agricultural loans, and in other ways, is itself a creditor on an extensive scale in this district, and this affords facilities for studying those conditions out of which litigation is produced on private transactions of a similar nature.

I think that during the year under report, fewer suits were instituted by money-lenders than in the previous year, because in many cases where accounts were over-drawn or bonds maturing, it would have been throwing good money after bad to start a suit, more especially as it is just at such a juncture that the debtor is, as a rule, in the mood for giving a pledge or instrument for the first time, or renewing an expiring mortgage.

DISTRICT JUDGE, KARNAL.

(Mr. J. G. Silcock.)

The total number of suits instituted has fallen by 383 (or 14 per cent) as compared with the figures for 1889.

I cannot assign any special reason for this rather large and continuous decrease unless it be owing to the succession of more or less favourable harvests which the district has, on the whole, enjoyed during the last five years.

DISTRICT JUDGE, AMBALLA.

(Mr. R. L. Harris.)

The amount of civil litigation shows a satisfactory decrease (527 cases). It is impossible for me to assign a cause for this decrease having joined the district at the close of the year. The crops were I believe average. Perhaps we have passed the maximum of petty litigation in the Punjab.

DISTRICT JUDGE, SIMLA.

(Mr. J. G. M. Rennie).

The total number of institutions during the year 1890 was 2,186 as against 2,365 for the preceding year.

The decrease is almost entirely in the Simla Small Cause Court. The main cause for this appears to me to be the fire that occurred here on the 24th March last in a quarter of the town where a large number of native shops were situated. Many traders lost their books, bonds and other valuable securities, and trade was more or less paralysed for the time being.

DIVISIONAL JUDGE, JULLUNDUR DIVISION.

(Colonel H. M. M. Wood).

The total of institutions last year fell by 414 cases as compared with those of the previous year. A reference to the Civil Administration Report of the province for 1889, shows that there was a general falling off in the institutions throughout the province that year, and the same may be found to have been the case last year.

The principal reasons for this decrease are said to be the generally prosperous condition of the agriculturist class, and the difficulty the money-lenders experience in recovering the amounts decreed in their favor, even when the latter are secured by hypothecation of immoveable property as collateral security.

DIVISIONAL JUDGE, HOSHIARPUR DIVISION.

(Mr. F. C. Channing).

In Hoshiarpur there has been an increase of 638 in the number of institutions which the District Judge attributes to the excellence of both spring and autumn crops, and to the fact of the prevalence of sickness during the autumn of 1889 and indifferent harvests in 1888.

In Kangra there has been a decrease of 674 cases, which the District Judge, I think rightly, attributes to the great unhealthiness of the year.

The Kangra report shows that out of the institutions, 3,192 cases, or 59 per cent were brought by bankers against agriculturists. The percentage of such suits in the Hoshiarpur district is returned as 53.

DISTRICT JUDGE, KULLU.

(Lala Moti Ram).

The number of suits instituted was 1,071 or 144 more than last year, and 43 over those of 1888. The increase is specially in the courts of the Tahsildar and Naib-Tahsildars, and this is due to the measurement work in Kullu having been finished, and the Tahsildar of Kullu being allowed a Naib provisionally, and there being less out-door work for them. One officer was usually present at the tahsil during the last quarter of the year, while in previous years the litigants did not follow the courts in camp. The increase is also due to some cases having been instituted against the orders passed by revenue officers in mutation cases.

DISTRICT JUDGE, AMRITSAR.

(Rai Buta Mal).

The figures show a considerable falling off in the number of institutions, there being 15,603 cases instituted during 1890 as against 16,865 during 1889. The decrease is 7·5 per cent., and the figures of four previous years will show that such variations are not uncommon.

DISTRICT JUDGE, SIALKOT.

(Mr. A. C. Marshall).

The number of suits instituted during the year under report was 15,517, which shows a decrease on the last year's report of 2,447 or 15·77 per cent. The decrease is chiefly in suits for money or moveable property (column 13, statement II, part I).

This large reduction is probably due to some extent to the very large amount of sickness that prevailed in the district during some part of the year.

I notice that my predecessor, Major Montgomery, thinks that the decrease in institutions of claims for book debts and bond debts points to the courts being unpopular with money-lenders and to their (money-lenders) abstaining from filing false suits. I think that anything like personal sympathy or antipathy in regard to any class should be discouraged. Munsifs, I think, are apt to let feelings of this sort interfere with their dealing strictly with the merits of each particular case.

DISTRICT JUDGE, GUJRANWALA.

(Mr. D. C. J. Ibbetson).

The institutions for the year under report show a decrease of 127 suits as compared with the figures for 1888 ; but they are higher by 314 cases as compared with the figures for 1889 and by 301 cases on the institutions for 1887, which themselves showed an increase of 1,232 cases on those of 1886.

DIVISIONAL JUDGE, MOOLTAN DIVISION.

(KHAN MUHAMMAD HAYAT KHAN, C. S. I.).

There has been a decrease of 2,395 cases instituted in Mooltan, Jhang and Montgomery, the most marked decrease being in Jhang, *viz.*, of 920 cases.

The falling off has mainly occurred in suits on "unregistered bonds" and "otherwise than on bonds." The District Judges of Mooltan and Jhang attribute the diminution to the prevalence of sickness during some months of the year, and the District Judge of Montgomery to the continued agricultural prosperity of the district.

The reasons given by the District Judges appear to be correct.

DISTRICT JUDGE, JHELUM.

(KAZI MUHAMMAD ASLAM KHAN, C. M. G.)

Suits instituted were as follows :—

	1889.	1890.
Money or moveable property ...	5,082	5,845
Other suits	1,235	1,410

there being an increase of 763 suits under the former and of 175 suits under the latter head as compared with the preceding year.

DISTRICT JUDGE, GUJRAT.

(BARON J. BENTINCK).

The total number of suits instituted in the year under report was 7,982 as against 8,358 in the preceding year. This means a decrease of 376 on the whole or 4·49 per cent.

The decrease is small, and does not call for any remarks.

DISTRICT JUDGE, SHAHPUR.

(MR. A. E. HUREY).

The number of civil suits instituted during 1890 was 6,913 as compared with 5,747 in 1889.

The increase is a large one, and no adequate explanation of it can readily be given. It will be seen that the chief items in which this increase is strongly marked, are suits on unregistered bonds and suits on account stated. These two heads alone show 925 cases more than those of last year. It is doubtful if this can be attributed to the inferiority of the crops. The crops of 1890 are believed to have been of an average nature and could not account for such a difference. It is more likely that more and more recourse is being had to judicial decisions in the settlement of money debts, and that the friendly relation of mutual confidence that used to exist between money-lenders and borrowers is gradually lessening.

DIVISIONAL JUDGE, RAWALPINDI DIVISION.

(MR. R. W. TRAFFORD).

The aggregate number of suits instituted during the year under report was 12,038 as compared with 10,927 in the preceding year, being an increase of 9 per cent as against 1889 and of 5 per cent as compared with 1888.

The District Judge remarks that "the increase in the past year may perhaps be referred to the revival of financial prosperity in the province."

DIVISIONAL JUDGE, DERAJAT DIVISION.

(MR. M. L. DAMES).

Compared with 1889 the institutions during the past year show an increase of 1,466 or over 9 per cent. Dera Ismail Khan and Bannu show an increase of 805 and 779 cases respectively, while Dera Ghazi Khan exhibits a slight falling off of 118 cases. No special reason has been assigned by the District Judges for the fluctuations, excepting Mr. Homan (Dera Ismail Khan), who remarks that the number of cases instituted was larger, because the Naib-Tahsildar of Bhakkar was empowered to hear small cause cases, and thus facility was afforded to litigants to bring forward their claims. The increase in Dera Ismail Khan was entirely in suits for money or moveable property, and occurred only in the Cis-Indus tahsils. The number of institutions in the division during the past year was, however, considerably lower than in any previous year since 1883.

DIVISIONAL JUDGE, PESHAWAR DIVISION.

(Mr. A. Christie).

There is an increase in litigation in Peshawar and Hazara, while the figures for Kohat have fallen off by 129 suits.

In Peshawar the increase is chiefly in suits for money or moveable property. (*vide* table given in subject II of the district report). But it would appear from the table given in subject I that there was a marked decrease in institutions in the year under review as compared with the institutions in 1885 to 1888.

In Hazara the increase was chiefly under the following heads :—

Suits for money or moveable property.

				Increase.	
On unregistered bonds	...	...	...	51	suits
Otherwise than on „	...	...	...	74	„
For moveable property	...	...	...	27	„
„ immoveable „	...	...	..	201	„

but no explanation of the variation has been attempted by the District Judge.

The decrease in Kohat was chiefly in suits otherwise than on bonds, and the District Judge attributes this to the prevalence of malarial fever in the months of July and August 1890.

II CLASSIFICATION OF ORIGINAL SUITS.

DISTRICT JUDGE, DELHI.

(Mr. S. Clifford).

One thousand four hundred and twenty three suits were brought by bankers and shopkeepers against agriculturists as compared with 1,542 in 1889 and 1,383 in 1888.

DISTRICT JUDGE, GURGAON.

(Mr. J. R. Drummond).

The smaller number of suits on bonds and book entries has been already partly accounted for under head I of this report.

This feature, however, is partly attributable perhaps to a different cause which is further suggested by the rise in suits founded on contracts with regard to immoveable property.

There seems to be a growing tendency to insist on land being hypothecated for agricultural advances before accounts are opened, and this, in the ordinary course of things, leads to disputes and litigation about the execution of the mortgage. It is more frequently discovered in the course of mutation proceedings than was formerly the case, that the debtor cannot give a clear or quiet title ; or again that actual possession, as the parties understand it, is not confirmed, so that the mortgage having already advanced something, is induced to embark on a suit to get possession. Such suits indeed are undoubtedly brought at times in the hope of getting round a revenue officer's decision on the question of mutation.

The enhanced amount of litigation about inheritance and gift is also due in part, I believe, to the increased activity of the land records agency, but it can hardly be regarded in this district as necessarily an unhealthy sign.

The rapid sub-division of holdings in a tract where there is little waste tends to increase litigation under the heads last mentioned, especially among the Meos and Ahirs, whose customs are much less stereotyped than those of many agricultural classes. Among the Ahirs particularly gifts and cognate dispositions of rights in land are common.

Such alienations formerly passed almost without notice in some cases, because the revenue proceedings were conducted at the tahsil, and special pains even were taken to diminish the publicity of the attempted transfer.

Now that the deed to be recorded in the land records has to be canvassed on several distinct occasions and a notice posted in the village committee-room, adverse parties such as reversioners and pre-emptors have at least a better chance of receiving notice, leading, in a proportion of instances, to opposition through the courts.

The increased number of declaratory suits is also probably due in part to the working of the land revenue rules.

DISTRICT JUDGE, ROHTAK.

(LIEUT-COL. A. RENNICK).

In comparison with 1889, there is a decrease under all the heads except in suits otherwise than on bonds and in suits for declaration of right. The decrease in the total number of suits and consequently under almost all the chief heads was due to the district having had generally bad harvests during the last year.

There was a decrease of 502 cases in suits brought by bankers against agriculturists during the year under report in comparison with the year 1889.

DISTRICT JUDGE, KARNAL.

(MR. J. G. SILCOCK).

The annexed table will show that the decrease in the number of cases instituted is not confined to any special class of suit, but comprises almost every description. This is evidently due to some such general cause as is stated in subject No. 1.

The number of suits brought by bankers and shopkeepers against agriculturists has fallen by 37, being 994 as against 1,031 in 1889.

DISTRICT JUDGE, AMBALLA.

(MR. R. L. HARRIS).

Registration of contracts seems to decrease in popular favour. A purely declaratory suit is of rare occurrence, and possibly the decrease under this head is due to greater care being exercised in such cases by the courts, where consequential relief should have been prayed for.

Petty contracts connected with the working on the Delhi-Kalka line have probably swelled the figures under unregistered contracts in writing and contracts not in writing. An increase in the number of suits to declare or establish personal rights is natural.

DISTRICT JUDGE, LUDHIANA.

(MR. G. LEWIS).

During the last three years there has been a most marked and steady falling off in suits on registered bonds, but this requires no comment, as the decrease in such suits has, for some years past, been general throughout the province.

There is a decided falling off in suits for moveable property or value thereof, the number in the year being, in round numbers, less by 300 than the average number for the four preceding years.

I have consulted the other civil judicial officers of the district also, but no very definite or satisfactory reason can be assigned for the decrease. As a rule, such suits have heretofore been based on oral transactions only. Two of the Munsifs, in trying to explain the decrease, are of opinion that as claims supported by oral testimony only are year by year beginning to be viewed with greater suspicion, there is a growing tendency to reduce transactions relating to moveable property to some sort of writing, as far as possible. This necessarily implies that when suits for moveable property or its value are brought based on such writing, they are classed as suits on bonds or book account, or otherwise according to the nature of the writing. If such has been the case, then possibly the decrease in this class of suits is more apparent than real, being due merely to a difference in classification. But more probably there has been an actual falling off in these suits. A good proportion of suits of this kind is brought as for recovery of property deposited with another. So far as my experience goes, most of these suits fail; and so it may be that people are beginning to see the futility of bringing such claims, unless there be strong evidence in support of them.

This conjecture of mine derives some countenance from the fact that the decline in the number of such suits has been steady since the year 1888. In the year 1889, there were 217 such suits less than in 1888; and in the year under report there is a further reduction of 192. Again, from some of the extracts from district reports, published as an appendix to the provincial Civil Annual Report for 1889, it would seem that the falling off in this class of suits is pretty general througout the province.

Suits founded on inheritance are more in number than they have been in any of the four preceding years, and this is to be expected, with the growing value of land collaterals of deceased sonless proprietors are becoming more eager to assert their claims.

The increase in suits founded on river action is very marked, and this is probably due to the following circumstances. There were some zemindars who considered themselves aggrieved by the entries made in the Record-of-rights at the last settlement (which was completed in 1883), in regard to alluvial land. Some of them brought suits, but their suits were thrown out on the ground that they were premature, as the Record-of-rights had

not been sanctioned within the meaning of section 20 of Act XXXIII of 1871. This sanction, I believe, was accorded only in June last; but, by the beginning of the year under report, it became generally known that the limitation which section 20 of the above said Act contained, had not been re-enacted in Act XVII of 1887. There was, consequently, a sudden rush of suits in regard to disputed rights in lands subject to river action.

The number of suits by bankers or shopkeepers against agriculturists shows a pretty steady tendency to increase. Such suits in the last year were 3,128 as against 2,331 in 1889, 2,871 in 1888, 2,208 in 1887 and 1,969 in 1886.

Some of the Tahsildars in explaining this increase, report that for the last two years the crops in this district have not been good, and that hence the zemindars have not been able to meet their monetary engagements. To me, however, one or two of the causes, which are probably operating to increase this class of suits, appear to be the following :—

(1). In the present state of the law there is little property, if any, of an agriculturist, which a creditor can proceed against, if he apply to the courts for assistance to recover his claims. An agriculturists' implements of husbandry and such cattle and seed grain as may be necessary to enable him to earn his livelihood as such, and the materials of houses and other buildings belonging to and occupied by him, are exempt from being taken and sold in execution of a money decree against him (section 266 (*b*) and (*c*) Civil Procedure Code). If he be a tenant, so much of the produce of his tenancy as will suffice to pay his landlord the rent which has fallen due within the year immediately preceding the decreeholder's application, and which will be falling due after the harvesting of the produce, is also virtually protected by section 33 of the Punjab Tenancy Act.

Again, section 62 of the Punjab Land Revenue Act, makes the land-revenue for the time being assessed on an estate or payable in respect of a holding the first charge upon the rents, profits and produce thereof, and no rent, profit or produce of an estate or holding can be taken in execution of a decree, without the previous consent of the Collector, until the land-revenue and arrears of land-revenue due in respect of the estate or holding have been paid. Further, if the agriculturist be a person liable for payment of land-revenue, then under the combined effect of section 266 (*n*), Civil Procedure Code, and the proviso to section 70 of the Punjab Land Revenue Act, 1887, so much of the produce of his land, as will suffice for the subsistence of his family and himself until the harvest next following, is also exempt from attachment in execution of a decree. Next, as regards the agriculturist's land, such extreme caution is exercised in sanctioning its sale, or if the sale is sanctioned, it is after such delays, that practically land has commenced to be regarded as unsaleable property in execution of a money decree.

Fully realising the position of advantage in which the law places him, an agriculturist, either disinclined to pay his debt, or finding his liability large, and his creditor unreasonable and pressing, would rather drive the creditor to seek the assistance of the courts, than settle with him otherwise. The creditor also, though probably conscious that little or no benefit will accrue to him, is compelled to institute a suit when he finds that waiting longer may cause his claim to get barred by the law of limitation.

(2). From the operation of the rules of inheritance prevailing in this province, the number of land owners with only small holdings is annually increasing. The system of dividing and sub-dividing an estate among the heirs, very often in two generations, reduces the grandchildren of a well-to-do land owner to next to beggary. This, combined with the aversion which the generality of agriculturists' children have to supplement their incomes from land by other means of livelihood, it would seem to me, is contributing more to impoverish the agricultural class than any other cause. According, therefore, as the number of petty land holders increases, there must be a greater resort by them to bankers or shopkeepers to tide over pressing monetary difficulties.

(3). As the value of land is increasing, there is also a class of money lenders with whom the immediate recovery of their money is no object. They go on getting bonds renewed or suing to so swell their claims by interest and compound-interest, or to so heavily encumber an agriculturist as to force either a voluntary or compulsory alienation of the land.

DISTRICT JUDGE, SIMLA.

(Mr. J. G. M. Rennie).

As regards classification of suits, it may be noticed that 98·5 per cent were suits for money or moveable property. This is about 0·5 per cent less than last year. The decrease is trifling and call for no remarks.

As regards suits for money and moveables on contracts in writing not registered and on account stated, these have decreased considerably, mainly as I have stated before, owing to the fire in the bazar in the earlier part of the year.

I notice that in the Cantonment Small Cause Court there has been an extraordinary increase under the head of "suits on contracts not in writing," and a still more extraordinary decrease in the number of "suits on account stated." The figures are 115 and 376 for last year as against 265 and 103 for the year under review. I cannot help thinking

there has been some mistake in the classification in the Kasauli court. The same remarkable difference appears in the numbers of "suits for goods sold." I am unable to offer any explanation as this would involve delay in consulting the Sub-Divisional Officer at Kasauli.

Under the heading of "other suits" there is nothing to remark.

The number of suits shown in columns 2—7 brought by bankers against agriculturists was only 8 as against 50 last year, or 6·4 per cent of the total number instituted. The number, even allowing for the smallness of the district, appears surprisingly small. The explanation would appear to be that bankers and shopkeepers decline to deal with agriculturists except on the security of land.

There were no cases under section 8 of the Specific Relief Act.

DIVISIONAL JUDGE, JULLUNDUR DIVISION.

(Colonel H. M. M. Wood).

The District Judge has put up under this head a tabular statement showing the fluctuations in the different classes of suits and has explained the causes of such fluctuations.

The possession suits and the suits by bankers against agriculturists which had risen in 1889 by 195 and 565 cases, respectively, fell in number last year by 313 and 541 respectively.

There was a further rise last year in suits on unregistered bonds by 285 cases. They had risen in 1889 by 236 cases. The suits under the heads, "account stated," "wages," "work and materials," "rent other than of land," "moveable property," and "other suits for money or moveables," rose also, *viz.* by 93, 19, 77, 69 and 22 cases, respectively, while the suits under the heads contract not in writing," "goods sold," and "damages," fell by 237, 342 and 117 cases, respectively. With regard to the decrease in suits regarding goods sold, it may be remarked that the brisk wheat trade in the district, which involved a large proportion of such cases, was profitable both to the traders and agriculturists, and brought about prompt and final transactions, leaving little room for the institution of suits.

DISTRICT JUDGE, JULLUNDUR.

(Diwan Ram Nath).

There is an increase in suits on registered bonds, but such suits are always insignificant in number, because in the first place bonds are not generally brought for registration, and in the second place the debtors cannot so boldly deny such bonds as they can deny unregistered bonds and oral debts.

The fall of suits on contracts not in writing and the increase of suits on unregistered bonds and balance of accounts, I attribute to the fact that an idea generally prevails that, in the Courts of Justice, oral contracts meet with less reliance and bond suits receive better success.

The suits against agriculturists show a very remarkable fall this year which I think is due partly to the transfer of a Munsif's Court from Banga to the Sadr, and partly to the visit of locusts in some of the villages of the district in the latter half of the year under report.

DISTRICT JUDGE, KANGRA.

(Mr. W. B. DeCourcy).

There has been a great fall under the heading "immoveable property" "suits relating to betrothals, marriage, divorce and dower"—as follows :—

in 1889	...	...	201
in 1890	...	...	136.

Only sickness could have had this effect in my opinion. Last year I tried to show how they really gambled in betrothals, but in sickness this cannot be done as they are superstitious to a degree, and then, as we know, social customs are generally put out of gear by sickness. Last year I also tried to show how the Criminal and Civil Law regarded a "Jinjrara" marriage, and here I would add that it has been ruled now that even a Rajput widow, not of the "Jaidya" class, has rights in her husband's estate.

As regards miscellaneous cases I would make this comparison :—

	1889.	1890.
Under the Civil Procedure Code ...	782	714
Other cases	86	148

There is thus a decrease and increase respectively of 68 and 62. The first is explained by the fall in original institutions, and the next by the increase of applications under various Regulations.

DISTRICT JUDGE, KULLU.

(Lala Moti Ram).

The number of suits by money-lenders against agriculturists remains small as usual. There were 142 institutions this year against 137 in 1889 and 133 in 1888; but the proportion of such suits to the total number of institutions is this year smaller than in the preceding year. There are but few professional money-lenders in Kúllú, and these are chiefly confined to the Kúllú city, and the people are well off. The land owners who happen to be in want of a loan can generally get it from fellow-agriculturists without difficulty at a fixed rate of interest quite common among them, which is 3 pies per rupee per mensem or Rs. 1-9-0 per cent.

DISTRICT JUDGE, AMRITSAR.

(Rai Buta Mal).

The falling off in litigation is mainly due to a large decrease under "suits for money or moveable property" as also under "suits relating to betrothals, marriage, &c."

Under the former head there were 13,492 suits instituted in the year under report as against 14,594 in the preceding year.

The largest decrease occurs under the minor heads (4) suits on contrrcts not in writing, and (5) suits on account stated, being 1,564 as against 2,301 and 2,548 as against 2,977, respectively.

This is so far satisfactory as such suits depend entirely on oral evidence which is not always very reliable. On the other hand, suits founded on contracts in writing show a tendency to increase. It is remarkable that 98·6 per cent of these are based on unregistered documents which will show either that most of the registered instruments relating to money or moveable property are discharged out of court or optional registration is being more and more largely dispensed with.

DISTRICT JUDGE, GURDASPUR.

(Lieut.-Col. J. B. Hutchinson).

There has been a decrease in nearly all the heads of classification, but under the head suits on unregistered bonds the figures show an increase of 1,045 or 12 per cent.

The abstract below gives the number of suits brought by bankers against agriculturists and the proportion they bear to the total institutions.

Year	Total institutions.	Number of bankers' suits.	Percentage
1888	16,049	8,923	55
1889	15,423	9,225	59
1890	15,618	9,821	63

DIVISIONAL JUDGE, SIALKOT DIVISION.

(Mr. M. Macauliffe).

The number of suits on registered bonds has decreased in both districts.

In the Gujranwala district the number of suits on unregistered bonds has risen from 3,850 in 1887 to 4,916 in 1890, showing an increase of 1,066. The salutary safegurad of registration is being less and less resorted to in that district. The District Judge does not state how this result has been brought abou.

In the Sialkot district there is a decrease in the number of suits for inheritance; but in the Gujranwala district there has been a steady increase in them since 1887.

In both districts settlements are in progress, and the tendency of settlements is ever to foster litigation. In most cases people would be content with their existing position; but at settlement time amateur lawyers of all sorts are abroad, who encourage men to return after long absence and sue for the long abandoned heritages of their fathers or grandfathers or great-grandfathers. Success in such suits generally depends on the skill with which two things can be proved—first, that the abandoned land was made over in trust to its present occupants or their predecessors, and, secondly, that no partition of property has ever been effected, as a member of a joint undivided family cannot be dispossessed. Sometimes great hardship results to the occupants from the results of such suits, as, for instance, when those who originally abandoned their heritage have settled elsewhere or adopted other means of livelihood, and thus led the present occupants of their land to believe

that they would never return. The present occupants have been living suitably on their possessions, and it is often an immense hardship to them when men who have been absent for generations are allowed to oust them in defiance of what is known to jurists as prescriptive right.

DISTRICT JUDGE, GUJRANWALA.

(Mr. D. C. J. Ibbetson).

The figures for suits for immoveable property maintain the high figure to which settlement operations have raised them.

DISTRICT JUDGE, LAHORE.

(Mr. W. A. Harris).

I am glad to notice that suits on registered bonds are on the increase, and those or unregistered are on the decrease, although the differences between 1889 and 1890 are not much being 77 and 62, respectively ; yet, as compared with figures of 1888, under suits on registered bonds, the decrease is very marked, showing no less than 790 of each class of suits less instituted in 1890. This is as it ought to be, for it is not unknown to our courts that false bonds are not unfrequently manufactured by unscrupulous money-lenders to save limitation on book debts, and yet avoid the necessity of litigation at an inconvenient time. These fabricated or forged bonds are usually manufactured in cases where accounts are disputed, so as to over-reach ignorant agriculturists and others. It becomes a difficult matter for a court in such cases to find out the real facts of the case. On registered bonds, however, the courts have some satisfactory basis from which to start a judicial inquiry.

What is very satisfactory to observe, however, is that as compared with 1888 suits on other than bonds have decreased actually by 1,209. If this is an indication that money-lenders have found out that our courts view their *bahi* accounts with the gravest suspicion and unhesitatingly eliminate items of accounts not supported by other corroborative evidence than such as the so-called *bahis* (which are really memorandum books) offer, and I trust that this is the case, it is a hopeful sign, for it means that these money-lenders are seeing the necessity of getting bonds from their debtors in place of acknowledgments in their books of memoranda, for there can be no doubt that in nine cases out of ten a bond is found to be a more reliable evidence of debt than an acknowledgment.

The increase in land suits, I am of opinion, is due to the progress of settlement operations, when claimants suddenly awake to the necessity of having disputed rights finally adjudicated, when absentees come back and claim possession of land, or joint owners in land sue each other for specific shares on the ground of private partition or adverse possession, and the like.

As regards suits for declaration of rights ; these have nearly doubled. Such suits, I am afraid, will be on the increase steadily, as sonless male Jat proprietors of land, with no near male collaterals, will always have temptations thrown out to them to alienate their lands, with or without legal necessity, the creation of legal necessity being by no means a difficult matter, as a man, bent on alienating his land, has only to run up a fictitious debt, and then to convert it into a mortgage without consideration or very inadequate consideration, and then an additional mortgage or two, and finally to conclude with a sale for little or no consideration. One of the most common form of suits now is to get a declaratory decree declaring an alienation of land by a sonless male proprietor, or by a widow, not to affect the rights of the reversionary heirs on the death of the alienor.

I might note here that of 5,242 suits in the Small Cause Courts, only 658 were instituted by bankers or shopkeepers against agriculturists, that out of 8,519 in the Munsif's Courts, no less than 5,409 were by money-lenders against agriculturists. There is, however, no cause for any alarm, as in the Munsif's courts there were only 8 land suits of a value not exceeding Rs. 10, and 31 of such suits not exceeding Rs. 50. Whereas money suits of the former class were 1,379, and of the latter 4,056, so that of the 5,409 suits by money-lenders against agriculturists, very few indeed could possibly have affected landed interests, and these only in cases where the value of such interests ranged from Rs. 10 to Rs. 50 a suit.

DISTRICT JUDGE, FEROZEPORE.

(Mr. E. B. Peacock).

The decrease in the number of institutions is almost entirely in the class of suits for money or moveable property ; the number of suits for recovery or possession of immoveable property remaining almost stationary.

Suits on registered bonds show a growing tendency to decrease. Suits on unregistered bonds have increased by 413 and those on accounts stated by 236, while the number of suits brought on contracts not in writing has decreased by 1,003 as compared with the previous year.

The figures relating to the suits brought by bankers or shopkeepers against agriculturists, show that while the suits of the class expected to be instituted against them (cols. 2 to 7) have decreased only by 368, the number returned as actually instituted has fallen off by 1,720 as compared with the previous year.

This appears to me to be an extraordinary decrease, and in the absence, as it is, of any apparent cause resulting in a high improvement in agricultural prosperity, I doubt if the figures are correct. However, looking to the returns of the various courts individually, it is found that the most marked decrease is noticeable in the court of the Munsif of Moga, who has returned only 95 cases as brought against agriculturists out of a total of 1,040 (cols. 2 to 7), while his figures in the previous year were 365 out of 1,301.

The Munsif is being called upon to examine the figures, and the result will be reported as soon as possible.

DISTRICT JUDGE, HISSAR.

(Lieut. C. C. Parsons).

Suits for money and moveable property.—Suits founded on contracts in writing increased by 70. Those on contracts not in writing decreased by 28. Suits on accounts increased by 324, and suits for moveable property increased by 20.

Suits on accounts stated show an increase worthy of notice. This increase (as noticed under printed head No. 1), cannot be ascribed to increased litigation in this direction between *zemindar* and *banniah*: the increased number of suits has apparently occurred in the towns.

Suits for immoveable property.—Suits for immoveable property arising from general causes have been nearly the same in number, and such suits on contract have been only little more numerous; but suits connected with inheritance and suits for pre-emption have fallen in number very considerably, by 103 and 75 suits respectively. I think that the termination of the record work of the settlement may fairly be held to explain the decrease under the head of inheritance, and the decrease of pre-emption cases is probably consequential.

DIVISIONAL JUDGE, MOOLTAN DIVISION.

(Khan Muhammad Hayat Khan, C.S.I.).

In the Mooltan district there has been a general decrease in suits for money or moveable property, the noticeable decrease being in the number of suits—

		Decrease.
on unregistered bonds	...	264
„ accounts stated ...	...	195
„ contracts not in writing	...	181
for moveable property or value	...	177

Suits by bankers against agriculturists show a decrease, which the District Judge attributes to the prevailing sickness in the last half of the year and the better kharif harvest. The large reduction in suits on unregistered bonds and balances struck is on account of the greater care taken by the Munsifs in scrutinizing the account books and calculating the interest and weighing the evidence.

Suits for possession or recovery of immoveable property and other suits have slightly risen in Mooltan.

In the Jhang district, suits on unregistered bonds and suits instituted otherwise than on bonds fell by 180 and 839, respectively, the large reduction being in suits on contracts not in writing and in cases on "accounts stated." The District Judge attributes the falling off to the prevalence of illness and the impoverished condition of the debtors, and to the transfer of some of the cases of the Jhang tahsil to the Munsif of Chiniot, whose court is at a distance of 52 miles from the sadr station. Suits for moveable property or value thereof rose by 69, and suits for immoveable property by 27.

In Montgomery, suits on unregistered bonds and suits instituted otherwise than on bonds exhibit a decrease of 183 and 573, respectively. The District Judge attributes this remarkable decrease to the agricultural prosperity of the district and to the strictness of the Munsif in requiring proof in *ex-parte* cases, and to his enforcing the provisions of the stamp law and throwing out false suits brought on balances struck.

Suits for moveable property or value increased by 37, and suits for immoveable property by 18, owing to spread of irrigation in the district and the increasing value of land.

DISTRICT JUDGE, MOOLTAN.

(Maulvi Muhammad Hussain).

The decrease is mainly under the heads relating to money suits which are principally brought by money-lenders against agriculturists. The decrease is therefore satisfactory, and may be owing to the prevailing sickness in the last half of the year and better *kharif* harvests.

The increase under the other heads does not require any special remarks.

The marked decrease under the head of "unregistered bonds" shows that the people are being convinced of the futility of such kind of documents without registration. The noticeable decrease in the number of cases on unregistered bonds and balances struck, as is the case in the present year, testifies rather to the efficiency of the Munsifs than to the dulness of the money-lenders. A money-lender in the Punjab is shrewd enough to take into consideration before bringing a suit, the important factor of the character of the presiding officer in a civil court. If he finds that that officer takes pains to examine his account books and to weigh the evidence he produces and makes a strict calculation of interest, he thinks twice before he purchases the court fee stamp. Let him have a Munsif of dull intellect, or a man who, by weakness of character or by any social association, professes implicit belief in the correctness of his books, which almost all in the whole of the rural part of the Punjab are worth nothing, he will certainly cause the number of the institutions to be doubled. Fortunately for the latter kind of officer, he will be praised for doing more work and will be pitied for being overworked.

DISTRICT JUDGE, JHANG.

(LIEUT. MARTINDALE).

There has been a decrease of 180 cases under the head "suits on unregistered bonds" in the year under report as compared with the year 1889, and of 146 cases as compared with the year 1888. Suits instituted otherwise than on bonds amounted to 3,325 in 1890, or 839 less than in the year 1889, and 1,080 less than in the year 1888. The causes of decrease under both these heads are attributable principally to the prevalence of illness during some months of the year under report, and partly to the straitened circumstances of the borrowers, who were unable to meet the demand of their creditors, and which prevented the money-lenders from instituting fresh claims. There was another reason for the decrease, that, as the Munsif of Jhang was namely overwhelmed with work, measures were taken to relieve him by sending some of the plaints of the Jhang tahsil to the Munsif of Chiniot whose court is at a distance of 52 miles from the sadr station; and in cases of petty litigation, owing to the inconvenience of the journey, claimants were not disposed to prefer their suits freely, but settled them out of court. The chief diminution is in classes of suits which depend more on oral than on documentary evidence, that is cases "on contract not in writing" have fallen from 734 in 1889 to 600 in 1890, and cases "on account stated" from 3,416 to 2,695, respectively. This decrease is due to greater care taken by the subordinate courts in passing judgments in such cases.

The number of cases brought by bankers or shop-keepers against agriculturists out of the total number of cases instituted, amounted to 2,385, as compared with 3,016 for the previous twelve months, showing a falling off of 631 cases; this may be attributed to the fact that money-lenders prefer taking lands on mortgage to having recourse to the civil courts.

DISTRICT JUDGE, MONTGOMERY.

(MR. T. J. KENNEDY).

Suits on unregistered bonds and otherwise than on bonds, which are mainly suits on balances struck, have continuously fallen off during the last three years. I attribute this decrease—in addition to the cause already mentioned under printed head No. 1—to several reasons. The bulk of the litigation in this district is on balances struck. Now there is no doubt that many of these balances struck are fictitious. A money-lender has had his buffalo stolen. He debits the supposed thief with its value in his books, adds interest, shows a fictitious receipt or two on the credit side of the account, fabricates with the assistance of two of his fellow-castemen, a balance, and sues the supposed thief upon it. Or, the population in this district being very migratory, an agriculturist goes off into Bahawalpur territory leaving debts behind him. The creditor picks out a fairly well off relative of his, and sues him on the allegation that he has entered into a contract of guarantee for the debt. Or another case—an agriculturist ceases to deal with a particular money-lender leaving perhaps a small balance to his debit. Some years afterwards, in collusion with two of his friends, the creditor draws out a fictitious balance, swollen with interest, alleges it to have been struck by the debtor, and sues him upon it. Such are types of cases which are constantly thrown out by the present Munsif. The Munsif is again strict in enacting proof in *exparte* cases. It was formerly a common practice, I understand, for money-lenders to have summonses served in collusion with peons nominally under sections 80 and 82, Civil Procedure Code, when the debtor had really temporarily migrated from his home, and to get *exparte* decrees in such cases. The Munsif is also somewhat strict in enforcing the provisions of the stamp law in the case of understamped documents, which are very numerous in this district.

It has, moreover, become a common practice for money-lenders in the district to cease to keep daybooks to avoid assessment to income-tax. When they sue upon entries in their ledgers alone, the entries they sue upon are entries "not kept in the ordinary course of business," and their suits are often thrown out. It has thus become, in the course

of the last 5 years, much more difficult for suitors to succeed in false cases, while even in true cases they are more chary of resorting to the courts for relief, and prefer to come to an amicable arrangement with their debtors, because if their exhibits are not properly stamped, they run the risk of being mulcted in penalties and because their books not being properly kept, their suits may be thrown out for want of proof. The decrease in the class of suits referred to is in my opinion satisfactory.

There is an increase of 18 cases or 15 per cent in the number of suits for immoveable property. I attribute this increase to the spread of irrigation in the district; and, on the one hand, to the increasing value of land which causes persons interested in it to be more tenacious in enforcing their rights or supposed rights over it; and, on the other, to the impoverishment of the proprietors in old canal irrigated or sailab tracts through the desertion of their tenants for the new canal irrigated lands and their inability to meet their debts secured by mortgage on their lands, upon which creditors sue for foreclosure of mortgage.

DISTRICT JUDGE, MUZAFFARGARH.

(SIRDAR GURDYAL SINGH.)

The increase is mainly in the number of suits on bonds other than registered, and on other contracts. These are the cases which affect the ordinary dealings between people. Probably the increase is due to an increase in commerce and consequent dealings amongst people.

DIVISIONAL JUDGE, JHELUM DIVISION.

(MR. F. D'O. BULLOCK.)

The increase is chiefly under the head of suits on unregistered contracts, and of moveable property or value thereof. The increase and decrease under other heads is slight except under the head of suits relating to betrothal.

DISTRICT JUDGE, GUJRAT.

(BARON J. BENTINCK.)

Suits for money or moveable property show an increase of 105 or 1·59 per cent, the number instituted in the year under report being 6,598 as against 6,493 in the preceding year. The increase is small and calls for no remarks.

Other suits show a decrease of 481 or 25·7 per cent, the number being 1,384 against 1,865 in the preceding year. The decrease is due to the general sickness which prevailed in the district during the year under report owing to which a lesser number of suits was instituted.

DISTRICT JUDGE, SHAHPUR.

(MR. A. E. HURRY).

The number of suits shewn as brought by money-lenders against agriculturists was 3,908 as against 3,518 (in 1889) and 3,250 (in 1888). These two years, however, seem to have been below the average, and, if we compare the figures of 1890 with 1886 and 1887, we get 3,908 as against 3,632 and 3,862, respectively. The increase is therefore not abnormal.

Suits on registered bonds fell from 14 to 7, but suits on bonds not registered show a marked increase from 2,227 to 2,649.

DIVISIONAL JUDGE, RAWALPINDI DIVISION.

(MR. R. W. TRAFFORD).

The proportion of suits for money and moveable property to the total number of suits instituted during the year under report was 82 per cent as against 80 per cent in the preceding year, and the corresponding diminution of 2 per cent in other remaining suits.

With regard to suits for money and moveable property, there was a considerable increase under the heads "suits otherwise than on bonds" and "suits on unregistered bonds," being an increase of 15 and 12 per cent respectively, as compared with the figures of 1889, and of 10 and 11 per cent over those of 1888.

In respect to the increase in suits of the latter description, the District Judge remarks that "this is the sequel of the discovery by the general public that registered bonds are not accepted by courts as conclusive evidence of a transaction."

"The same feeling of distrust prompts money-lenders to sue rather on their books "than on unregistered bonds, since the debtor has his opportunity of getting over one or "more of the creditor's witnesses to his side."

Suits of inheritance have increased from 392 in 1889 to 815 in 1890, being an increase of 52 per cent as compared with the preceding year, and of 47 per cent over the figures of 1888.

There was a falling off of 41 per cent in suits of partition and possession of immoveable property as against 1889.

The fluctuations under other classes of suits are so small that they do not call for remarks.

The number of suits which were brought by bankers or shop-keepers against agriculturists has fallen from 4,270 in 1889 to 4,110 in 1890, being a decrease of 4 per cent as compared with the preceding year and of 9 per cent over the figures of 1888.

The proportion of this class of suits to the total number of suits instituted during the year under report, was 36 per cent as against 41 per cent in the previous year or a decrease of 5 per cent.

DIVISIONAL JUDGE, DERAJAT DIVISION.

(Mr. M. L. Dames).

Suits for money or moveable property, that is, suits of a nature cognizable by a Court of Small Causes constituted as before 87 per cent of the total civil litigation of the division.

Turning to details, suits for money or moveable property on unregistered bonds show a large increase of 1,387, the largest increase occurred in Dera Ismail Khán, where the number rose from 2,498 to 3,584 or 43 per cent, thus showing that the practice of obtaining written bonds for money debts is becoming more general. The number of suits for possession or recovery of immoveable property was nearly the same as in the previous year.

The number of suits brought by bankers or shop-keepers against agriculturists shows an increase of 1,606 or 26 per cent, the number instituted in each district during the past two years was as follows :—

	1889.	1890.
Dera Ismail Khan	3,063	3,704
Dera Ghazi Khan	2,276	2,368
Bannu	865	1,738

The increase in Dera Ismail Khan is considerable, but no reason has been assigned. In Bannu, the increase is over 100 per cent, and is explained by the District Judge as "due to good harvests which gave a distrainable value to a decree, and encouraged money-"lenders to sue."

DIVISIONAL JUDGE, PESHAWAR DIVISION.

(Mr. A. Christie.)

In Peshawar the most remarkable variations were under the following heads :-

	Increase.	*Decrease*
Suits on unregistered bonds ...	188	...
„ otherwise than on bonds ...	303	...
„ for moveable property or value thereof ...		105
For rent otherwise than of land		63
„ immoveable property		62

The only reason that the District Judge can give for the increase is the extension of trade in these parts, but no reason has been given for the decrease, and I am unable to assign any.

The heads under which noticeable variations have occurred in Hazara have been mentioned in subject I of this report.

In Kohat, the only notable feature is the increase of 192 in the number of suits otherwise than on bonds.

The District Judge attributes this, to a certain extent, to the tendency of money-lenders to lend money on bonds, considering it a safer mode of ensuring repayment. But this does not seem to be the cause, as in that case there would have been a proportionate increase in suits on bonds, whereas these have also decreased by 23.

III—VALUE AND COST OF SUITS

DIVISIONAL JUDGE, DELHI DIVISION.

(Mr. T. Troward).

Notwithstanding a decrease of 844 suits or of 5·3 per cent in the number of suits instituted during the year as compared with the figures of the preceding year, the total value of litigation of the whole division was Rs. 27,20,513 or Rs. 18,362 more than in the year 1889.

Under the first head (suits for money or moveable property) the large increase in the value of suits in the Delhi district is explained by a corresponding increase in the number of suits instituted. The comparatively large decrease under this head in the Gurgaon and Karnal districts is also due to a decrease in institutions. In Rohtak, however, the decrease in the number of suits has not been followed by any falling off in value, which has, on the other hand, increased by Rs. 11,193. Under the second head (suits for land assessed or subject to assessment) the value has more than doubled in Delhi, while in the other three districts it has decreased considerably, owing chiefly to the increase and decrease in institutions. Under the third head (suits for other immoveable property) the largest decrease in value has been in Delhi and the smallest in Gurgaon and Rohtak, while in Karnal it has increased by Rs. 39,610, for which no reason is assigned by the District Judge. Under the fourth head (other suits) there was comparatively a large increase in value in the Delhi district. In Gurgaon and Rohtak there has been a partial falling off, while in Karnal, with an increase of 15 suits, the value has decreased by 83 per cent.

The average value of suits of class (1) is almost identical in the last three districts in both years, while in Delhi it has risen largely, no doubt, owing to the increase in the number and value of suits instituted.

The large variations in the average value of suits of class (2) are due chiefly to the instructions issued by the Chief Court regarding the valuation of land suits.

The considerable falling off in the value of class (3) in the Delhi district was quite natural, because the figures of the past year had risen abnormally owing to the institution of three suits of the value of over one lakh of rupees each. In Gurgaon and Rohtak, the variations under this head were not of much importance, while the comparatively large increase in the average value of the Karnal district has not been explained by the District Judge.

There was a considerable variation in the average value of suits of class (4) in all the districts, except Rohtak, for which no special reason can be assigned, but the figures of the Rohtak district were practically the same in both years.

DISTRICT JUDGE, AMBALLA.

(Mr. R. L. Harris).

The aggregate value of all kinds of suits was Rs. 10,17,665 as against Rs. 10,75,344 during 1889, thus following, in some measure, the general decrease in the number of suits instituted.

The average value has increased under both heads (for money, &c., and other suits) and this is mainly due to the fact that suits for large amounts (over Rs. 5,000) were more numerous in 1890 than in 1889.

The average cost of suits of either description varies little from that of 1889.

DISTRICT JUDGE, LUDHIANA.

(Mr. G. Lewis).

It will be seen that the total value of the litigation of the district, and the average value of suits, capable of a money valuation, have been appreciably less than in any of the two preceding years. No special reason can be assigned for this, though it may be mentioned that in the year 1889, there was one suit instituted which alone valued over Rs. 60,000.

Compared with only the preceding year, the average value of all classes of suits has fallen. The variation in the case of suits for money or moveable property is not very great. In the case of "other suits" the average value, though below that for 1889, is above that for 1888, and therefore represents a fluctuation for which it is not necessary to seek reasons. "Land suits" have throughout the year been valued according to the jurisdiction value prescribed by the new rules framed under Act VII of 1887. In their case also, the average value is above that for the year 1888; but this perhaps will not be a fair comparison, as in that year land was differently valued. The reasons which may be assigned for the falling off in value of these suits, as compared with the year 1889, are the following, *viz.*:—(1) that the new rules relating to the valuation of land were not in force throughout the year 1889, and that, therefore, no satisfactory or reliable results can be obtained from a comparison of the figures for the two years; (2) that in the year under report, the value of the land litigated for has been actually less. In this connection, it may further be noted, that even under the new rules in some cases, a rather uncertain and variable standard of valuation has to be followed, for example, where, according to clauses (*c*) and (*d*) of rule, the valuation has to be made according to either the net profits or the market value of the land.

The falling off in the average value of suits for other immoveable property has been most marked, though steady, the figures for the three past years being Rs. 181-3-6, Rs. 160-1-6 and Rs. 96-4-4.

This can be due to only one of two causes :—(1) either that the value of the property litigated for, was actually less, or (2) that the courts have paid less attention to ascertaining the correct value. Lest the latter be the cause operating in this direction, all the courts of the district will be asked to pay special attention to the matter in future.

DISTRICT JUDGE, SIMLA.

(Mr. J. G. M. Rennie).

The total value of the original suits instituted during the year was Rs. 2,97,954 or only Rs. 2,578 below that for the previous year. Of suits disposed of, the value aggregated Rs. 2,54,617, of which Rs. 2,53,462 represent the value of suits for money or moveable property, and Rs. 1,155 only the value of other kinds of suits: the cost being Rs. 20,665 for the former, and Rs. 275 only for the latter description.

DISTRICT JUDGE, JULLUNDUR.

(Dewan Ram Nath).

The fall in the value of suits capable of appraisement from Rs. 10,94,259 to Rs. 8,96,869, gives a decrease of Rs. 1,97,390.

The decrease is due to the decrease in institution of suits under Rs. 50 of 95 cases, under Rs. 100 of 37 cases, and under Rs. 500 of 551 cases: and out of the said decrease in cases of money or moveable property, the amount of decrease is Rs. 1,78,581, leaving Rs. 18,809 as representing the decrease in other classes of the suits.

DIVISIONAL JUDGE, HOSHIARPUR DIVISION.

(Mr. G. W. Rivaz).

In Hoshiarpur, the marked difference is in suits relating to land assessed or subject to assessment and "other" suits.

In a note which he left on the Hoshiarpur report, Mr. Channing remarks that he looks for a possible explanation in the introduction of the new rules under the Suits Valuation Act.

The Kangra report shows that the total value of all suits for last year was Rs. 3,96,031, and for this year Rs. 4,05,870, showing an increase of Rs. 9,839. The increase was marked under the head "other suits," the value of which rose from Rs. 54,039 to Rs. 1,03,682,

DISTRICT JUDGE, AMRITSAR.

(Rai Buta Mal).

With the decrease of 1,262 suits in number, there is a decrease of Rs. 34,722 in value. This is the general result, but coming to particulars, we find that with the decrease of 1,102 suits for money and moveable property in number, there is a decrease of Rs. 1,16,339 in value, while with the decrease of 160 other suits in number, there is actually an increase of Rs. 81,617 in value; in other words, while the average value per suit of the former class of suits has fallen from Rs. 71 to Rs. 68, that of the latter class has risen from Rs. 183 to Rs. 235.

DISTRICT JUDGE, GURDASPUR.

(Lieut.-Col. J. B. Hutchinson).

It will be seen that there has been an increase of 3·9 per cent in the institution of cases falling under the head "suits for money or moveable property," while other suits show a decrease of 15·9 per cent.

[The value of the former has gone up nearly Rs. 1,62,000, and of the latter has fallen by Rs. 1,36,444].

DISTRICT JUDGE, SIALKOT.

(Major J. A. L. Montgomery).

There is a decrease in the total value of suits as compared with the previous year. The aggregate value of suits of all kinds for the present year is Rs 11,51,029 against Rs. 12,85,100 in the previous year.

DISTRICT JUDGE, GUJRANWALA.

(Mr. D. C. J. Ibbetson).

Ten thousand seven hundred and forty suits valued at Rs. 6,48,338, and 32 suits, the value of which could not be fixed, were decided, against 10,604 suits, valued at Rs. 4,55,385 and 45 of no fixed value decided in 1889. Eleven thousand three hundred and seventy five suits valued at Rs. 5,47,326 and 39 of no fixed value were decided in 1888.

The very heavy increase in the value of suits for money or moveable property is mainly due to the institution during the year of one suit valued at Rs. 35,00,000, in which the Diwans of Eminabad are at issue.

The decrease in suits for land assessed or subject to assessment is due to there having been one suit under this head in 1889, the value of which was over Rs. 1,00,000. In the year under report no suits for land assessed exceeded Rs. 5,000.

The decrease in the total value of suits for other immoveable property is also accounted for by the fact that in 1889 there was one suit valued above Rs. 10,000 and up to Rs. 1,00,000, while in 1890 no suit exceeded Rs. 1,000 in value.

DISTRICT JUDGE, LAHORE.

(Mr. W. A. Harris).

The aggregate value of the 15,655 suits amounted to Rs. 26,80,311 against Rs. 15,30,108 in 1889; Rs. 11,12,742 in 1888, and Rs. 12,34,898 in 1887, respectively, representing an increase of Rs. 11,50,203 or about 75·1 per cent over the figures for the preceding year.

It will be seen that while suits of small value have decreased, those of high value have increased; and that the increase by 5 in the number of cases for sums over Rs. 5,000 up to Rs. 10,000 and over Rs. 10,000 up to 1,00,000 (5 and 2, respectively), as also for a sum over Rs. 1,00,000, account for the increase in the aggregate value of the suits instituted in the courts of this district.

The total value was increased by the suit Moula Bukhsh and others *versus* Mohammad Taqui and others, claim—moveable and immoveable property—value Rs. 13,25,000, estate of the late Sheikh Rahim Bakhsh, Merchant, Lahore and Delhi.

It will thus be apparent that during the year, the district court was engaged in hearing and disposing of suits of great magnitude and proportionate complications.

DISTRICT JUDGE, FEROZEPORE.

(Mr. E. B. Peacock).

The decrease of Rs. 1,41,930 in value appears to be due to the decrease in the number of institutions, which is especially noticeable in the grade of suits of highest value.

DISTRICT JUDGE, HISSAR.

(Lieutenant Parsons).

Of the 3,358 suits decided in 1890, the total value was Rs. 2,83,098; the average value being Rs. 84. The average value in 1889 was Rs. 81, in 1888 it was Rs. 72. The increase in average value is not ascribable to an increase in the more valuable class of suits, such as those for immoveable property, because there has been a decrease of institutions of this class, while suits for money and moveables have considerably increased. No explanation readily occurs.

DIVISIONAL JUDGE, MOOLTAN DIVISION.

(Khan Muhammad Hayat Khan, C. S. I.)

In suits for money or moveable property, the average value and cost has increased in Multan and Jhang, and fallen off in Montgomery and Muzaffargarh.

In "other suits" the average value and cost has increased in all four districts, the most marked increase being in the Montgomery district, which is accounted for by the institution of two suits value Rs. 7,000 and Rs. 78,000, respectively.

DISTRICT JUDGE, MONTGOMERY.

(Mr. T. J. Kennedy).

There has been no variation in the average value of suits for money or moveable property. There is a substantial increase in the average value of land in suits assessed or subject to assessment. This is caused partly by more highly assessed land which has either benefitted considerably by recent development of irrigation or has suffered by the desertion of cultivators for irrigated tracts, being in suit, and partly by the recent rules regarding the valuation of suits promulgated to have effect on or after 8th April 1890, taking effect during the whole year.

The increase in the average value of "other suits" is due to the institution of a suit, valued at Rs. 7,000, in the court of the Subordinate Judge, arising out of a dispute between the heir of Faizul Hassan, Extra Assistant Commissioner, and the heirs of Muhammad Mehdi Khan, Extra Assistant Commissioner, regarding their rights in an extensive tract of land leased to them by Government.

There was also a suit of the value of Rs. 78,000 in the court of the Sub-Judge.

DIVISIONAL JUDGE, RAWALPINDI DIVISION.

(Mr. R. W. Trafford.)

The aggregate value of suits during the past year was 13 per cent more than in the preceding year, as there was a large increase of value in suits exceeding Rs. 500 and Rs. 1,00,000. The increase of 16 per cent was in value of suits for money or moveable property, and a decrease of 14 per cent in that of other suits.

DIVISIONAL JUDGE, DERAJAT DIVISION.

(Mr. M. L. Dames.)

The variations in value are considerable and are due probably to the changes in the system of valuing suits. In Dera Ismail Khan, the value of other suits rose from Rs. 29,784 in 1889 to Rs. 2,26,076 during the past year, one suit for Rs. 75,000 was brought forward to cancel an award made by private arbitrators.

The number of suits connected with land assessed or assessable was nearly the same as last year. Bannu, where the price of land is highest, shows as usual the largest number of such suits.

DIVISIONAL JUDGE, PESHAWAR DIVISION.

(Mr. A. Christie.)

The average value of suits has risen very high in Peshawar while it has considerably fallen off in Hazara.

The increase in Peshawar is in the sadr courts, and the chief heads under which the increase has taken place are mentioned in the district report. There was a marked increase of about 2 lakhs in the value of suits for money or moveable property as compared with the preceding year.

The District Judge of Peshawar considers the variation as incidental and partly attributes it to failure of traders and bankers in the city during 1890, which obliged their creditors to seek redress in courts.

The decrease in Hazárá is traceable in the value of suits other than for money or moveable property, of which the average according to the district report has fallen off from Rs. 213-14-4 to Rs. 97-4-4 per suit.

DISTRICT JUDGE, KOHAT.

(Captain F. Egerton.)

The average value for all classes of suits has increased as compared with 1889, but it is smaller than in 1888.

The increase is due to the institution of 18 suits above Rs. 500 in value (including 2 above Rs. 10,000 in value) against 14 in the preceding year.

IV—Original suits, details of disposal, duration of cases and pending file.

DIVISIONAL JUDGE, DELHI DIVISION.

(Mr. T. Troward).

With a decrease of about 5 per cent in the number of cases disposed of during the year under report, the percentage of cases dismissed by default was abnormally high in the Karnal district, being 24·8 as against 20·5 in the preceding year, which is much to be regretted.

The number of suits decreed or dismissed *exparte* has increased largely in the Delhi and Karnal districts. In the former district this increase is principally due to no fewer than one fifth of the cases decided in the Small Cause Court having been dealt with under this head, but considering the unusually low number of applications (*viz.* 22 out of 750 suits so disposed of) made for setting aside these proceedings, the working of the court seems satisfactory. In the latter district the majority of such cases was in the court of the Munsif, and the large number of applications (*viz.*, 57 out of 236 cases) made for setting aside such decrees or dismissals indicates some defect in the procedure of this officer. In Gurgaon the figures under this head were just the same in both years, while in Rohtak they have decreased appreciably.

The average number of appearances was unusually large in the court of Maulvi Zia-ud-din, Extra Assistant Commissioner, Rohtak (*viz.*, 12), and Mir Kabir Ali, Tahsildar of Sampla (*viz.*, 9).

DIVISIONAL JUDGE, AMBALLA DIVISION.

(Mr. G. L. Smith).

Amballa.—The District Judge has fully reviewed the figures under this head, and hase adequately accounted for abnormal features in most cases. The district has much suffered through frequent changes of officers.

Ludhiana.—No doubt the great increase in the average duration in the District Judge's court is owing to the causes named. It is certainly not owing to remissness on the part of the District Judge.

The remaining figures have been carefully analyzed by the District Judge. There is nothing very marked about them calling for further notice.

Simla.—The District Judge has fully reviewed this subject. The circumstances of this district are very peculiar and therefore its statistics are the same, but after making all allowances, the average duration in the Small Cause Court, Kasauli, was unwarrantably high.

DISTRICT JUDGE, LUDHIANA.

(Mr. G. Lewis).

There is an unsatisfactory rise in duration in only the District Judge's Court, but for which, I trust, he will not be considered answerable or much to blame, as it has been due to his not having had sufficient time to devote to original Civil work.

In November 1888 by Act XIII of 1888, appeals in unclassed suits not exceeding Rs. 100 in value were made to lie to District Courts. There was, therefore, not only a consequent numerical increase in the number of appeals coming to these courts, but they were given a class of appeals which required more time for disposal, being more intricate and more hotly contested than appeals in "small causes." The pressure thus caused by the increase of appellate work was apparently felt in most District Courts, as in para. 54 of the Civil Report for 1889, it is admitted that District Judges were able to dispose of less original business. In June 1889 my predecessor made a representation that in view of the increase in appellate work in his court he should be relieved of a part of his original civil work, as otherwise either his appellate or his original work would suffer, but this proposal of his was then negatived. The result was that at the end of the year 1889, the pending file of original suits rose to 35, as against 20 at the close of 1888, and there were 18 cases pending for more than three months. It was only in August 1890, that the Judges of the Chief Court were pleased to recommend to the Local Government that one of the Extra Assistant Commissioners here be invested with the powers of a Subordinate Judge of the 2nd class. These powers were gazetted in September 1890, and it was in October 1890 that the Subordinate Judge commenced to relieve the District Judge of some of his work. Even then I was able to transfer to the Subordinate Judge only nine of the more recently instituted cases. As a necessary consequence of what I have described above, original suits during the first nine months of the year did not receive as much time as they required, and sometimes had to be put off simply for want of time. Again, during the year under report, there have been some cases in which lengthy enquiries had to be made, and which therefore took a good deal of time in disposal. Whether this second excuse is a valid one will best be judged by the Divisional Judge, before whom some of the cases have been going up in appeal. With the relief which has now been afforded to the District Judge, by the appointment of a Subordinate Judge of the 2nd class, I trust it will be possible to show better results in the future.

DIVISIONAL JUDGE, JULLUNDUR DIVISION.

(Colonel H. M. M. Wood).

The District Judge has not explained the unsatisfactory features noticeable under this head.

There was a large decrease last year in the number of cases for disposal. They fell by 313 cases, and still there was no improvement in the disposals, the number of cases disposed of being 412 cases less than those disposed of in the previous year, and the number of cases pending at the close of the year, increasing by a 100 cases.

Of the 13,829 suits disposed of, only 4,218 (less than a third) were contested cases In the remaining 9,611 cases, the courts were required to take very little action, a fact showing a tendency among litigants to settle their differences amicably. It is not possible to ascertain what portion of these 9,611 comprised land suits affecting agriculturists, but it may be remarked that the introduction of the system of civil references to Jirgas in force in the Frontier districts of the Province in a modified form, to conform to the requirements of particular localities, would prove greatly beneficial to the agriculturists. The services of Zaildars and Sufaidposhes could easily be utilized for such reference.

DIVISIONAL JUDGE, HOSHIARPUR DIVISION.

(Mr. G. W. Riwaz).

Mr. Channing points out how important it is in the Hoshiarpur district, where litigants are notoriously unscrupulous, that contested claims should only be decreed on full and satisfactory evidence. A plaintiff who is unable to prove a just claim to the satisfaction of the court, no doubt deserves sympathy, diminished in proportion as his misfortune is due to his own carelessness in book-keeping or in other respects. But this evil is one which tends to cure itself, while every false claim decreed by a too easy and too trusting court, tends to produce other false claims and to thus render the courts instruments of cheating and fraud.

DIVISIONAL JUDGE, SIALKOT DIVISION.

(Mr. M. Macauliffe).

I encourage courts to be strict in requiring the attendance of parties on the dates fixed and disposing of their cases on such dates without adjournments. I allow the law relating to the default of either party to be enforced with strictness. Indulgence in the case of a litigious population is it appears to me out of place I have, however, often allowed suits to be restored to the file when illness, the sudden swelling of hill streams, or other misadventure is clearly established.

DISTRICT JUDGE, LAHORE.

(Mr. W. A. Harris).

The number of commissions do not appear to have been excessive. Of the whole number of 259 commissions issued, no less than 179 had been issued by the Munsifs' courts, so that only 80 were issued by all the other courts put together. In suits connected with partnership accounts and for settlement of accounts or even in partition cases of joint family property, where one party alleges that no partition has been effected and the other contends that the family has been separate for years, it always becomes incumbent on courts to issue a commission for examination of accounts. The selection of a fit and proper person is one of great difficulty, each party determinately opposing any nomination made by the other party : and even where a person is selected, his report is rarely if ever accepted now without the greatest possible amount of contention and objection. In most cases the person appointed is harassed by a most searching and minute examination and cross-examination, in most cases in regard to the very items of account in respect of which it had been found necessary to issue a commission ; that courts are saved very little trouble by the issue of commissions as they are so often obliged to go over what the commission has already reported. No wonder that reliable persons of position and respectability, whose characters are above suspicion and who could render assistance to the courts, now beg to be excused from acting as commissions.

As with commissions, so with arbitrators. It is difficult to find men of position, influence and respectability willing to accept the office of arbitrator, and when such persons are found, it is most usual to contest the award. The old and simple objections of bribe-taking and partiality are seldom now advanced. Litigants under the advise of counsel now advance under misconduct the most far fetched technical objections, so that awards now no longer are regarded with the idea of finality that once attached to them, and courts are much deceived if they consider that their work will be lessened by the transfer of disputes to self-appointed tribunals by the parties themselves, for it is only after the filing of the award that the work of the court begins, for objections are filed, answers are taken, issues are framed, evidence is taken, and proper findings have to be recorded, and it is fortunate indeed if no misconduct has been made out, and the award can be accepted and decree given in accordance with it.

My experience has shewn that once a dispute is referred to arbitration, it is almost hopeless to get an award. Either the arbitrators refuse to accept office point blank and others have to be appointed, or else they keep out of the way to avoid being served with notice, or else they go on making excuses for extensions of time, and then, if parties do not compromise, either resign or under feelings of party spirit, write separate awards, and then an umpire has to be appointed, whom it is attempted to win over to one side or the other. I think in Lahore, at head-quarters, nothing is more unsatisfactory than a reference to arbitration ; and yet no persons could be of such assistance to a court as thoroughly reliable arbitrators in whom both parties placed perfect confidence.

DIVISIONAL JUDGE, JHELUM DIVISION.

(Mr. F. D'O. Bullock.)

The large increase in cases dismissed without trial in Jhelum and Shahpur appears to show that the courts did not show sufficiently judicious forbearance in view of the abnormal amount of sickness that prevailed and interfered with the whole business of life. In Gujrat I had occasion to issue special directions on the point, and the result is that there is no increase.

The remarks of the District Judge of Jhelum to account for the increase in uncontested cases are of very serious import, assuming them to have been made on ascertained grounds. I have myself heard no such complaints, and, if the facts exist, the District Judge should make it his duty to stamp out the evil.*

DISTRICT JUDGE, JHELUM.

(KAZI MUHAMMAD ASLAM KHAN, C. M. G.)

The increase in the time taken to dispose of contested cases is due to the sickness which prevailed during the summer months in the district. As regards the increase under head "uncontested cases," I have to remark that in some cases it is due to the plaintiffs, who generally belong to the money-lending classes, by inducing the process-servers, by offering illegal gratifications to make a false report to the effect that the summons had been duly served while no service had really taken place, and thus to have *exparte* decrees passed against their victims ; but to a large extent illness has been the cause of it.

DISTRICT JUDGE, GUJRAT.

(BARON J. BENTINCK).

There is an increase of 199 or 26 per cent in *exparte* suits as compared with the previous year, and this is, according to my mind, due to the general sickness which prevailed in the district during the year under report. The defendants were doubtless under the impression that decrees must be passed against them and intentionally refrained from appearing. They also knew that an *exparte* decree was liable to be set aside on application.

DISTRICT JUDGE, HAZARA.

(MR. A. F. D. CUNNINGHAM.)

The high average durations of 86 and 105 in the court of Captain Inglis, Officiating Deputy Commissioner, in contested and uncontested suits, respectively, and of 52 in the court of the Deputy Commissioner in uncontested cases are in suits under the Frontier Regulations which are referred to Councils of Elders ; these are generally cases in which men from beyond the border are concerned and disposal has to await their pleasure in coming in or bringing witnesses before a Jirga. These cases should really not be taken into consideration in calculating the district average of duration.

DISTRICT JUDGE, KOHAT.

(CAPTAIN F. EGERTON.)

The number of cases decided without contest shows that the people of the district are not much given to litigation, and that when causes of dispute arise, both parties are willing to abide by the advice of the judge and to come to a compromise on equitable terms without contest. Thus the average of uncontested cases is very much above the provincial average. I consider that this tendency should be encouraged as it is certainly beneficial, and as long as Pleaders and Mukhtars keep out of the district I do not anticipate any increase in litigation except in the Khattak ilaqua at the approaching Settlement, when a stand will certainly be made for cash-rents.

As regards the high average of cases decided in favor of the defendant compared with the provincial figures, this I think is only natural in a district where the people are extremely simple and have little or no idea of what constitutes a legal right.

V—AGENCY BY WHICH ORIGINAL SUITS WERE DISPOSED OF.

DISTRICT JUDGE, AMBALLA.

(MR. R. L. HARRIS).

Rai Thandi Ram, Honorary Civil Judge, a retired officer of experience has been of 'eat assistance, and the number of cases decided by Sirdar Jiwan Singh of Shahzadpur and arnam Singh of Kharar, deserve mention.

DISTRICT JUDGE, AMRITSAR.

(RAI BUTA MAL).

Considering that 13 per cent of the cases disposed of by Munsifs were land and unclassed suits, and that each on an average decided more than 2000 cases, the result as to quantity of work done may be regarded as satisfactory.

* A special report has been called for

In this connection, I may remark that some Munsifs in their anxiety to show a better outturn of work, achieved their object at the expense of quality. The pleadings are imperfectly recorded, the witnesses are hurriedly examined, and in certain instances the estimate of the evidence formed is not borne out by the record. It is hoped, however, that under the instructions lately issued by the Chief Court in Book Circular XX of 1890, work will be better distributed and more satisfactorily disposed of.

The Munsifs disposed of an average of 2,854 cases each during the year under report as compared with an average of of 2,866 cases in the year before last. The figures show that they disposed of 28 per cent of cases after contest.

DIVISIONAL JUDGE, SIALKOT DIVISION.

(Mr. M. Macauliffe).

The District Judge of Gujranwala shows that 267 cases of immoveable property including only 99 land suits were decided by the Munsifs during the year under report, against 484 in 1889, and that 497 such cases were decided by Extra Assistant Commissioners against 250 in 1889. It is true that the best paid officers should ordinarily be entrusted with more onerous duties, but with very few exceptions. I place trust in the Munsifs whom I know, while the Extra Assistant Commissioners, who pay casual visits to the division, do not always inspire me with confidence.

Men who rise to the post of Extra Assistant Commissioner from that of Munsif are generally good officers, while men who rise from the post of Tahsildar are very often the reverse. It is a pity there is not some means of promoting old Tahsildars in their own line, and that to reward their approved services, it must be necessary to turn them into judicial officers, seeing that for the best years of their lives the discharge of their executive functions has been often performed in sharp conflict with positive legislation. The Tahsildar promoted to be Extra Assistant Commissioner still too often remains the administrator *hākim*, who loves to confer favours on those with whom he is well pleased.

It will be gathered from this that I am not unreservedly in favour of entrusting important land suits to Extra Assistant Commissioners and Tahsildars, and that, as far as I am concerned, I should generally prefer they were disposed of by selected Munsifs of my jurisdiction.

DISTRICT JUDGE, MOOLTAN.

(Maulvi Muhammad Hussain).

The work seems to have been well distributed except in the case of the Extra Assistant Commissioners. The marked decrease in their case is owing to very little work being given to the Revenue Extra Assistant in compliance with the wishes of the Commissioner of the Lahore Division. That officer has disposed of only 68 cases in this year compared with 266 cases in the year preceding. The Munsifs have done more than half of the work as they ought to do. One of the Assistant Commissioners remained attached to the district only for 5 months in the year.

DIVISIONAL JUDGE, JHELUM DIVISION.

(Mr. F. D'O. Bullock.)

More than four fifths of the cases were decided by the Munsifs. The Extra Assistant Commissioners and Tahsildars did very little civil work during the year.

DISTRICT JUDGE, JHELUM.

(Kazi Muhammad Aslam Khan, C. M. G.)

There have been frequent changes and transfers among European officers during the year, hence they have not been able to dispose of many cases.

The Munsifs have disposed of a much larger number of cases than in the preceding year, while the Tahsildars have done very little. Under recent Chief Court Circular, the latter have been allotted land suits for disposal, and the work of the Munsifs will in future be lightened.

DISTRICT JUDGE, SHAHPUR.

(Mr. A. E. Hurry.)

It will be observed that the estimate of work likely to arise in the course of a year has been exceeded in all its branches. The district has been under settlement during the year, and the attention of Revenue Officers has had to be mainly devoted to other than Civil Judicial work. I think the work done is therefore creditable to the staff employed. The number of civil cases is over 20 per cent above the Chief Court's estimate, and seems to be on the increase.

DIVISIONAL JUDGE, PESHAWAR DIVISION.

(Mr. A. Christie.)

In compliance with the Chief Court's order, the District Judge made over civil work to the Assistant and Extra Assistant Commissioners during the last quarter of 1890, and as they have not decided the number of suits expected by the District Judge, he explains that either the suits have not been presented to them by the plaintiffs as they were mostly on tour, or that the suits had not been decided before the expiry of the year.

Only land and unclassed suits were sent to the Tahsildars as the Munsif had time to take up all small causes, hence the decrease in the number of suits decided by Tahsildars.

The increase in disposals in Hazara also is due to a corresponding increase in institutions. But there was a decrease in the number of suits disposed of by Tahsildars and Naib-Tahsildars for which no explanation has been given in the district report.

It appears from the District Annual Statement IV and the District Judge's explanation of the high average duration furnished in Subject IV of his report, that of the 12 suits shewn against the District Judge 11 were civil references to the Council of Elders under the Frontier Regulations disposed of by Captain Inglis and Mr. Cunningham as Deputy Commissioners, and that only one suit was decided as District Judge by Captain Inglis. In Kohat the only noticeable feature is the decrease of about 200 suits in the number disposed of by the Munsif. This was partly due to his being employed in supervising the destruction of old judicial records, and partly to the increase in the number of suits disposed of by the Honorary Civil Judge of Khuttak who takes up petty civil cases relating to the Khuttak illaqa triable by the Munsif.

VI—MISCELLANEOUS CASES.

DIVISIONAL JUDGE, SIALKOT DIVISION.

(Mr. M. Macauliffe).

The memo given below shows that there has been a progressive decrease in the number of cases for redemption and foreclosure during the last three years in the Gujranwala district.

	1888	1889	1890
Suits for redemption and foreclosure ...	381	362	252

The District Judge remarks that "the decrease is satisfactory, but the figures are still in excess of those prior to 1888." The District Judge is of opinion that conditional sale is worked to defeat the Government policy regarding the sale of land, and this is no doubt correct.

DIVISIONAL JUDGE, FEROZEPORE DIVISION.

(Lieut.-Col. H. J. Lawrence).

Ferozepore.—The number (15) of cases pending over three months under this head is high.

No explanation has been offered of the remarkable increase in cases relating to redemption and foreclosure of mortgages. Proper attention would now seem to be paid to the provisions of Act VII of 1889 in regard to Succession Certificates.

Hissar.—It is difficult to understand how it is that there were no cases under Act VII of 1889 in the Hissar district, and the District Judge's attention will be called to the matter.

VII—EXECUTION OF DECREES.

DIVISIONAL JUDGE, DELHI DIVISION.

(Mr. T. Troward).

The total number of applications for execution of decrees in the whole division has fallen off by 553 applications or by 3·9 per cent, probably owing to a general reduction in the number of original suits in the three districts of Gurgaon, Rohtak and Karnal as noticed in subject I; and there was thus a corresponding decrease of 575 applications or of 4·5 per cent in the total disposed of. The value of money decrees has on the other hand increased by Rs. 50,275 or by 3·3 per cent. The total amount realized during the year under notice also shows an increase of Rs. 71,579 or of 2·7 per cent over the figures of the preceding year, and the percentage of realizations has improved by 4 per cent which is very satisfactory.

In Delhi, notwithstanding an increase of about 3 per cent in the number of original suits instituted in the year under report, the number of applications for execution of decrees has decreased by 19, while the number disposed of indicates a falling off of 60 applications. The value of money decrees has also decreased by Rs. 1,46,175 or by 16 6 per cent; but the

amount realized shows a substantial increase of Rs. 95,169 or of 51·9 per cent over the figures of the past year which is very gratifying. The percentage of realization has risen by 17 per cent.

In Gurgaon there has been a large decrease under all heads and the percentage of realizations has fallen off by 9 per cent. which is not satisfactory.

In Rohtak there has been a decrease in the number of applications for disposal and those disposed of, but the value of money decrees in execution has on the other hand increased by Rs. 18,784 or by 10·5 per cent and the amount realized also shows a proportionate increase to some extent, but the percentage of realizations has gone down from 29 to 26 per cent.

In Karnal the total number of applications for disposal and disposed of, exhibit a decrease of 59 and 57, respectively, which is quite disproportionate to the general decrease of litigation noticed above. The value of money decrees in execution has on the other hand increased considerably, *viz*, by Rs. 2,13,094 or by 108·7 per cent ; but notwithstanding this large increase in value, the amount realized was only Rs. 2,825 in excess of the amount recovered in the former year, and the percentage of realizations has fallen off from 20 to 10 per cent.

The following abstract will show the degrees of success attending the operations of courts in each district of this division during the past two years :—

Detail of methods.	Delhi.		Gurgaon.		Rohtak.		Karnal.	
	1889.	1890.	1889	1890.	1889.	1890.	1889.	1890.
Completely executed	27·6	28·8	26·6	33·5	27·0	30·9	25·3	23·1
Partially executed	29·0	31·3	18·9	18·4	25·5	17·6	18·4	15·4
Wholly infructuous	40·4	35·2	53·8	48·1	47·5	51·4	55·4	60·7
Transferred	3·0	4·7	0·6	...	...	0·1	0·9	0·8

The arrangements for strengthening the process-serving establishment have now been introduced in all the districts of this division, except Delhi (where the District Judge has recommended the continuance of the present arrangement), and Naib-nazirs and execution bailiffs have been provided for all the outlying tahsils ; and I am hopeful that next year the results of execution of decrees will be far more satisfactory and the proportion of wholly infructuous decrees will be appreciably reduced.

DISTRICT JUDGE, GURGAON.

(Mr. J. R. Drummond).

The falling off in the percentage of realizations is unsatisfactory. Some weight is due to Pandit Chandarbal's opinion, that this is partly the result of the inferior harvest yield, but I am persuaded that we know little about the execution of decrees ; neither judgment-debtors nor decree-holders are likely to afford reliable information as to the practical working of the subordinate machinery ; on the other hand, it may be assumed that in a district where the distances to the courts are often great, and the opportunities for escape into adjoining States so large, creditors would hardly go on instituting suits if the fruits of litigation were really secured in only one out of every five of the cases annually launched. If the limitation for debt were 12 years, as it is I believe in Alwar, fewer suits would certainly, I think, be brought ; but the percentage of settlements recorded in the courts would almost certainly be higher.

DISTRICT JUDGE, KARNAL.

(Mr. J. G. Silcock).

The percentage of realizations is low in all the courts, but very low in the court of the Subordinate Judge. In the latter court, however, it is due (*a*) to a single case of the value of about two lakhs of rupees having been kept pending under the orders of the Chief Court, and (*b*) to many decrees (of a considerable aggregate value) having been privately satisfied (or compromised) in which the adjustments were not certified to the court, and which are therefore returned as infructuous. The proportion of cases, moreover, in which the decree-holders make applications merely to keep their decrees alive is, as remarked in the previous reports, by no means inconsiderable in this district ; and this of course largely swells the nominal value of decrees in execution on the one hand, and the proportion of infructuous decrees on the other.

DIVISIONAL JUDGE, UMBALLA DIVISION.

(Mr. G. L. Smith.)

Umballa.—The results of execution of decrees are very unsatisfactory, the percentage of realizations being deplorably low. Possibly the improved Názir's establishment lately sanctioned will show better results in future.

Ludhiana.—The realizations here too are low, though better than in Umballa (33·60 to 25·2). This question has been fully discussed by the District Judge.

The rise in average duration is unsatisfactory.

Simla.—The percentage of realizations was still less in this district (being only 15 per cent).

DISTRICT JUDGE, UMBALLA.

(Mr. R. L. Harris).

The figures do not show an improvement in working. Having been but a few days in the district I cannot assign a cause. But in my opinion an improvement is not to be expected. Let us protect the zemindars by all means, but do not let us expect in such case that the money-lender will get his legal pound of flesh. This district of petty *jagirs* seems particularly one illustrating the above remark. If this need cure, no amount of perfecting of the process-serving system will produce the desired result.

DISTRICT JUDGE, LUDHIANA.

(Mr. G. Lewis).

The percentage of realizations for the year under report appears less only because the total value of money decrees in execution was higher than in either of the two preceding years. It may further be noted that the results shewn for this district still compare favourably with the results for the whole province in 1889, the percentage of completely executed decrees being 2 per cent, and of realizations 3 per cent higher.

Purely voluntary and semi-voluntary payments taken together, show a steady tendency to increase, while there is a continuous falling off in the amounts realised after execution of coercive process. Some of the causes which contribute to produce this result seem to be the following :—

(1). If the judgment-debtor be an agriculturist, then, under the combined operation of section 266, clauses (*b*), (*c*) and (*n*), Civil Procedure Code, section 38, Punjab Tenancy Act and sections 62 and 70, Punjab Land Revenue Act, there is little or no property of his which can be taken and sold in execution of a money-decree.

(2). When a process for the attachment of moveable property is issued, the judgment-debtor in most cases (and sometimes through the dishonesty of the process-server), receives timely information, and conceals his property.

(3). It is becoming more and more known that an attaching officer cannot break open the outer door of a dwelling-house. I have, therefore, sometimes observed that a judgment-debtor, when he has not had the time to conceal his property, right in the face of the process-server, but before he can enter it, puts a lock to the outer door of his house, and thus defeats the execution of the process.

(4). Friends and relations of the judgment-debtors help in the concealment of property, and also put forward false claims to property attached. In the case of the latter, if the decree-holder be not a resident of the same village as the judgment-debtor, it is generally very difficult for him to find rebutting evidence.

(5). *Supard-dars* (*i. e.*, persons to whom property attached is made over for safe custody, under the provisions of notification No. 3858 of 3rd October 1877), are also beginning to give trouble in collusion with the judgment-debtors. They are conscious that, on account of the strict proof of dishonest intention required in a criminal prosecution, and of the facility with which they can get up evidence, they can always make out pleas which will practically secure them from a conviction for criminal breach of trust. A civil action for recovery of the property, they do not much mind, as (1) in the end they suffer no loss, and (2) because they know that, as often as not, a decree-holder will not undergo the labour and cost and the waste of time the prosecution of a suit involves.

(6). Since the amendments made in the Civil Procedure Code by Act VI of 1888 the fear of imprisonment for debt has become much less.

There is one other cause also, which makes realizations appear less than they really are. Very often when a coercive process is taken down for execution, a judgment-debtor pays up, direct to the decree-holder, the whole or a part of the amount specified in the process. The latter then declines to have the process executed, but seldom takes the trouble of certifying such payment to the court. Even when an order is issued calling upon him to appear and do so he generally allows it to pass unheeded, as legally I do not think he is bound to appear in court and certify to such payment. In such cases, and especially because the judgment-debtor himself neglects to take action under section 258, Civil Procedure Code,

courts are often in doubt, as to whether they are legally competent to record partial or full satisfaction of the decree according as the process-server may report; and frequently it so happens that the process-server even cannot certify how much exactly the decree-holder received.

DISTRICT JUDGE, SIMLA.

(Mr. J. G. M. Rennie).

The value of money-decrees put in execution amounted to Rs. 5,20,133 or Rs. 86,315 more than the value in 1889. The realizations which amounted to nearly 15 per cent were, on the other hand, about 10 per cent less, the amount realized voluntarily being also considerably lower as compared with the amount so realized in the year before. It might be noted that last year a very large sum was realized in one decree obtained by the Simla Bank which brought up the average very considerably.

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DISTRICT JUDGE, JULLUNDUR DIVISION.

(Colonel H. M. M. Wood).

The disposal of execution business was more unsatisfactory last year than it was in the year previous. Although the institutions decreased by 1,703 cases, the disposals fell below those of 1889 by 1,689 cases, and there was no perceptible decrease in the cases pending at the close of the year. The pending cases were proportionately larger in number than what they were in the year previous, for in 1889 out of 14,608 cases, 1,679 remained pending, and last year out of 12,905 cases, 1,595 remained pending.

Of all the districts in the province, the wholly infructuous applications were the most numerous in the Jullundur district, *viz.*, 7,439 in 1889. There was a fall last year and they numbered 6,895. With reference to this decrease it must be borne in mind that there was a large decrease in the institutions also. This court was careful throughout the year to issue instructions to the courts subordinate to pay particular attention to this branch of work, but the result at the close of the year shows that there was very little improvement. The improvement in the process-serving establishment may produce better results in future.

There is reason to believe that the subordinate courts keep execution files pending unnecessarily; and orders have been issued on this point which, it is hoped, will have the effect of expediting execution business.

In the case of execution against immoveable property delays are sometimes unavoidable.

DIVISIONAL JUDGE, HOSHIARPUR DIVISION.

(Mr. G. W. Rivaz).

There is a large and unsatisfactory drop in the percentage of realizations in Munsifs' courts at Hoshiarpur. In Kangra, the percentage realized is slightly higher than the percentage for 1889, and is well above the provincial average.

The defects in execution of decree work which came under the notice of Mr. Channing, chiefly relate, he remarks, to references made by the civil courts to the Collector in cases where land has been attached. Many officers apparently find it difficult to understand or recollect what are the special functions of the Collector and of the civil courts in these cases.

DISTRICT JUDGE, AMRITSAR.

(Rai Buta Mal.)

The applications for disposal fell from 15,067 to 14,158, and the number disposed of from 13,599 to 12,442, but the pending file at the end of the year increased from 1,466 to 1,716. The proportion between decrees fully satisfied, partly satisfied and wholly infructuous is much the same, and it is remarkable that execution against the person has been less resorted to and does not show the same results in the matter of realizations as in the preceding year. There were 188 cases of sales of immoveable property as against 95 last year.

However, out of Rs. 8,04,258, the total value of money-decrees in execution during the year under review, Rs. 3,38,418 were realized, giving a percentage of 42 as against 40 in the preceding year, which is so far satisfactory.

The figures show a decrease in the number of old pending cases, but, with all this, there can be no doubt that the execution work does not receive its full share of attention, and there is still much room for improvement.

I have observed that in the majority of cases full latitude is allowed to the decree-holder, and cases are more frequently brought on and removed from the file than they should be. From want of adequate attention, previous orders are not always referred to, the result of which is that orders are sometimes recorded which complicate matters and give an undue advantage to a defaulting decree-holder.

DISTRICT JUDGE, GURDASPUR.

(LIEUT-COL. HUTCHINSON).

The percentage of money realized to the value of money-decrees in execution shows a decrease of 6 per cent.

The percentage of cases completely and partially executed shows a decrease of one and 1·37 per cent, respectively, while that of wholly infructuous has risen by 2·81 per cent.

DIVISIONAL JUDGE, SIALKOT DIVISION.

(MR. M. MACAULIFFE.)

The fluctuations are fairly proportionate to the increase and decrease of institutions in the respective districts.

There is an increase in the number of wholly infructuous decrees in both districts. In the Sialkot district the increase, *viz.*, 1,107 is very marked, though the number of decrees for disposal was, as shewn above, smaller than in 1889. The District Judge of Sialkot has given no explanation of this circumstance.

The District Judge of Gujranwala attributes the increase to the epidemic of fever which, no doubt, prevented litigants from attending the courts during the autumn months. He is of opinion that the increase is possibly due "also to the growing tendency to settle matters out of court."

It is well the increase is not due in both districts to the deteriorated circumstances of the smaller zemindars.

DISTRICT JUDGE, SIALKOT.

(MAJOR MONTGOMERY).

I have to note that the percentage of realizations on value of decrees is very unsatisfactory, *viz.*, 29·89, as against 43·62 in 1889. This may, as lately reported by the Munsif of Daska, be due to the difficulties that money-lenders experience in realizing from standing crops, grain, &c. Detailed enquiries from each Munsif are being made.

DISTRICT JUDGE, LAHORE.

(MR. W. A. HARRIS).

The general result for the year compares favourably with the result obtained in the two previous years.

DISTRICT JUDGE, FEROZEPORE.

(MR. E. B. PEACOCK).

The proportion of wholly infructuous applications has risen from 47·34 to 49·30, but the percentage of realizations shows an improvement, having increased from 23·46 to 26·04, which may be due to the demand in a certain number of successful applications being very large.

DISTRICT JUDGE, MUZAFFARGARH.

(SARDAR GURDYAL SINGH).

There has been a large decrease in execution of decree cases for which I cannot assign any particular cause at present. The percentage of realizations has also fallen low.

DIVISIONAL JUDGE, JHELUM DIVISION.

(MR. F. D'O. BULLOCK).

The percentage of realizations in Jhelum and Shahpur is very low and in the Gujrat district is satisfactory.

DIVISIONAL JUDGE, RAWALPINDI DIVISION.

(MR. R. W. TRAFFORD).

The proportion of applications disposed of wholly infructuous has fallen from 45 per cent, in 1889, to 43 per cent, in 1890, being a decrease of 2 per cent. The proportion for the province during the year 1889 being 48·6 per cent.

The proportion of realizations to the total value of money decrees put in execution during the year under report was 30 per cent, as against 28 per cent in the previous year.

DIVISIONAL JUDGE, DERAJAT DIVISION.

(Mr. M. L. Dames).

The percentage of amount realized to that under execution shows a highly satisfactory improvement in Dera Ismail Khan, where it rose from 29 per cent to 41 per cent; in Dera Ghazi Khan the proportion increased from 34 per cent to 40 per cent. The smallest amount realized was in Bannu where out of Rs. 1,94,090, under execution, only Rs. 51,530 or 26 per cent was realized.

It is satisfactory to observe that the percentage of wholly infructuous applications has slightly decreased.

DIVISIONAL JUDGE, PESHAWAR DIVISION.

(Mr. A. Christie).

There is a sensible rise in Peshawar in the number of decrees wholly infructuous, while the figures for the other two districts show a decrease. The reason given in the district report, which is correct, is that the judgment-debtors adjust their decrees out of the court when applications to execute decrees are presented, and the decree-holders do not take any further action, and the applications are filed as wholly infructuous. But the percentage in Peshawar 40·34 is still below the provincial average 48·6.

As to realizations. There is a decrease in all the districts under the head "voluntary realizations" and "realizations after issue, but without execution of process." There is an increase in realizations on coercive measures in Peshawar and Hazara, especially in the former district where Rs. 60,117 were realized by attachment of moveable and immoveable property, and Rs. 40,187 by sale of such property.

VIII—WITNESSES

DISTRICT JUDGE, GURGAON.

(Mr. J. R. Drummond).

The total number of witnesses who appeared without summons was 2,707, while that of witnesses for whose appearance summons issued was 1,357.

The prevalence of volunteer witnesses is easily explained. Among shopkeepers and petty money-lenders it is a point of accommodation, and with most classes of agriculturists a point of honour to appear in support of a litigant member of the guild or clan, as the case may be, on such occasions

On the other hand, if a neighbour gets entangled in the meshes of the law, the opportunity for cheaply paying off old scores by lending testimony on the side of his opponents is a tempting one.

Sometimes the plaintiff is astute enough, especially if he has frequent business in the courts, to have his witnesses, even if they are men of straw, duly *subpœnaed*. Process would be more in vogue if it were not generally understood to be an imprudence to give the other side the chance of finding out the names of witnesses and tampering with them.

DISTRICT JUDGE, JULLUNDUR.

(Diwan Ram Nath).

The number of witnesses who appeared without summons is nearly one-half of the number for whom summonses were issued, and the chief reasons for non-payment of diet money to 5,438 persons out of 15,723 are, in my opinion, 1st, disposal of the suits before their attendance, and 2ndly, the practice of not sending diet money with the summons.

DISTRICT JUDGE, JHANG.

(Lieutenant Martindale).

In this district expenses of witnesses are not always remitted with the summonses and also as many of the suits are of small values and settled by the parties before summonses are served on the witnesses, the latter are deprived of the expenses which they would otherwise havereceived had they appeared in court.

In many instances too the witnesses are a mutual accommodation society who give evidence for one another.

DISTRICT JUDGE, SHAHPUR.

(Mr. A. E. Hurry).

The attention of all courts was drawn in last year's report to the necessity of sending diet money with the process, and the figures now given show a large improvement in this

respect. There is no doubt that the present state of the law which necessitates the delivery to the witness of his diet money (Code of Civil Procedure, section 161), often causes much inconvenience. Many witnesses do not appear, though summoned, and it is not easy to recover from them the diet money they have not earned, sometimes where personal service has not been effected the witness attends the court all the same, while the diet money remains with the peon until he has finished his round of process serving when it is returned perhaps after the case has been disposed of, so that the witness never receives it at all.

In sparsely populated tracts where the villagers are dull of understanding, and the peons too poorly paid to place them above suspicion, it would seem very desirable to allow the courts to certify on the summons that the money is deposited in court, and will be delivered to the witness on arrival. I believe this is an alteration of the law that is widely desired.

IX—PROCEDURE

DISTRICT JUDGE, GURGAON.

(Mr. J. R. Drummond).

Presiding officers are not as a rule sufficiently careful to note formal steps clearly on the record. Appearances of parties or their pleaders are not circumstantially recorded, and too much time is taken up with argument and preliminary fencing where practitioners are engaged. Parties are not properly examined at first hand so as to bring out the real issues in dispute, and special attention has had to be called to the loose way in which documentary evidence is too often sought and imported on the record.

Where original records have been consulted, copies are not obtained and filed for future reference, and generally the facilities afforded by the district record room have been abused in this district to an extent which is, I think, unusual. Steps are being taken to remedy this state of things which is partly due to the weakness of the record-keeper.

Decrees are often not properly entered up in cases shewn as compromised.

Where an adjustment in part before decree is certified, the plaintiff's suit is not treated as dismissed for so much of the amount, and generally loopholes are allowed for after litigation.

Where the decree relates to rights in immoveable property, pains are not ordinarily taken, I fear, to ensure that the subjects are unmistakeably described in the decree. If the filing of a proper plan in duplicate were insisted on, and one copy of this were required to be attached with the decree where the plaintiff succeeded for the whole, it would be beneficial.

DIVISIONAL JUDGE, AMBALLA DIVISION.

(Mr. G. L. Smith).

Amballa.—As noted by the District Judge there has been a tendency to unduly adjourn cases. The District Judge is calling the attention of the courts to this.

Simla.—This district undoubtedly labours under great difficulties in effecting service of summonses, and it is to be regretted that the Calcutta Small Cause Court adds to these.

DISTRICT JUDGE, LUDHIANA.

(Mr. G. Lewis).

In the case of some courts I observed an inclination to issue commissions for local investigation into the merits of cases a little unnecessarily ; but this has been checked, as the number of such commissions has come down from 113 in 1889 to 56 in the year under report.

DISTRICT JUDGE, SIMLA.

(Mr. J. G. M Rennie).

After a considerable amount of correspondence the Calcutta Small Cause Court has at length commenced to serve summonses issued from this court. For some time every summons used to be returned unserved with the stereotyped endorsement that "the defendant was not found at the address mentioned, and no one appeared to point him out on behalf of the plaintiff." But after the Registrar had had his attention called to the matter, an improvement was effected. The Calcutta Small Cause Court, however, still refuses to examine witnesses on interrogatories without some one appearing to move it, and on my writing to the Chief Judge, he justified his refusal. Difficulty is still experienced in effecting service in Kangra and Hoshiarpur, as well as the Hill States. The district, owing to the large number of visitors, both European and Native, is greatly dependent on other districts for service of its processes and my experience shows me that here when the summons has been served, the main difficulty in the case may be considered to have been disposed of.

DIVISIONAL JUDGE, JULLUNDUR DIVISION.

(Colonel H. M. M. Wood).

The courts of the Ferozepore and Ludhiana districts have been found to be very lax in noting on the face of their judgments the value of the suits for the purposes of jurisdiction.

As regards the issue of commissions for the purpose of local enquiry in cases, it seems to be the practice with some courts to favor a few men of the City of Jullundur and its suburbs with the issue of commissions, for conducting local enquiry in land cases; such a procedure should be prohibited by the District Judge. Munsif Achru Ram of Phillour issued the largest number of commissions.

DIVISIONAL JUDGE, HOSHIARPUR DIVISION.

(Mr. G. W. Rivaz).

The District Judge reports that when a Patwari cannot be spared to attend court, he is examined on interrogatories, and it as often as not happens that the tahsildars allow them to write their statements themselves, that fault was found with this procedure, and although the irregularity is not often committed now, still it has not ceased, but he hopes that it will cease now that these officers have to do with his court.

With reference to these remarks, one case came before me on appeal in which a Patwari's evidence had not been properly taken and was rejected by the District Judge on that account. I remanded the case that the evidence might be properly taken and considered. If irregularity continues, it should be brought to the notice of the Deputy Commissioner.

DISTRICT JUDGE, AMRITSAR.

(Rai Buta Mal).

As a rule, summons for final disposal is issued in all cases of the nature of small causes, but I have observed that from their anxiety to reduce the average duration, courts are apt to give as little time as possible for appearance of defendant, and though the time allowed is seldom less than a week, it is never calculated from the date of the service, and is hardly sufficient to enable him to prepare his defence. In the majority of cases which come to my notice, it was found that though the time originally allowed was sufficient, service was delayed till a short time before the hearing, and the fault was ultimately brought home to the Naib-nazir or the serving officer.

Frequent adjournments often arise from a defective arrangement of the cause lists. Too many cases are sometimes fixed for a day in the hope of disposing of as many as possible without regard to the time likely to be taken up in the examination of witnesses. A judicious arrangement of the cause list is no less desirable than a careful framing of the issues to ensure speedy disposal.

DISTRICT JUDGE, GURDASPUR.

(Lieut.-Col. Hutchinson).

Adjournments are far too frequent and are often made on insufficient grounds. This is especially the case in execution of decrees. There has been a great improvement in the disposal of execution of decree cases, but there are still some old cases on the files.

DIVISIONAL JUDGE, SIALKOT DIVISION.

(Mr. M. Macauliffe).

As remarked in the report for the last year, the proceedings of all the courts is fairly good.

The District Judge of Gujranwala has made some judicious remarks on the subject of procedure. For reasons known to the Chief Court and the Government, I make no inspection tours now myself. The result is, as I very frequently see, that the courts are now getting somewhat out of hand.

The number of commissions issued to Revenue officials during the year was 19 against 70 in 1889, showing a decrease of 51 which is remarkable, and which ought to be very satisfactory to the Executive Department.

DISTRICT JUDGE, GUJRANWALA DISTRICT.

(Mr. D. C. J. Ibbetson).

Little, if any, regard is shewn by most native Judges to the convenience of parties and witnesses. The fear of the monthly statement overrides all other considerations.

More cases are fixed for a date than can be disposed of on it; sommonses are issued for dates by which they cannot be returned; and towards the end of the month or quarter,

cases are got rid of so as not to show in the statement. The only possible remedy that suggests itself to me is incessant supervision and examination of files. And where the Deputy Commissioner is District Judge, it is almost impossible for him to find time for this, and not advisable to entrust the duty to a subordinate.

DIVISIONAL JUDGE, FEROZEPORE DIVISION.

(COLONEL LAWRENCE).

Subordinate courts are careless in regard to the way in which evidence is put on the file. It is sometimes impossible to say from the record, whether witnesses have been produced by either party or have been summoned by the court of its own motion. Utterly worthless plans are accepted and plans are placed on the file without being proved and without anything to show who put them in. Documents are frequently filed unaccompanied by translations in the language of the court, and the judgments are based upon records quoted by the parties without any copies being placed on the file.

DIVISIONAL JUDGE, MOOLTAN DIVISION.

(KHAN MUHAMMAD HAYAT KHAN, C.S.I.).

Evidence is properly recorded but the records do not show that it is read over to the witness when completed, and, if necessary, corrected. The attention of the courts was therefore drawn to the provisions of section 182, Civil Procedure Code.

In a few cases coming up in appeal, I observed that some courts in their judgments do not state the finding upon each separate issue in accordance with sections 203 and 204, Civil Procedure Code. Generally, issues are framed from the plaint and the defendant's written plea, and the parties are not exhaustively examined as to the particulars of the case; and the provisions of section 118, Civil Procedure Code, are not fully observed and issues are not properly drawn.

DIVISIONAL JUDGE, DERAJAT DIVISION.

(MR. M. L. DAMES).

Except in the case of some honorary courts, the procedure is carefully acted up to. I have not had to find fault in this respect in cases coming upon appeal with the exception of two or three cases.

X.—PROCESS FEES AND PROCESS-SERVING ESTABLISHMENTS.

DIVISIONAL JUDGE, DELHI DIVISION.

(MR. T. TROWARD).

All the District Judges with the exception of the District Judge of Dehli have noticed the new system of serving processes through outlying courts, and they report that it has been working satisfactorily. Mr. Clifford has submitted a report on this scheme which is still before the Chief Court, and he has not introduced it in his district pending its disposal.

DISTRICT JUDGE, GURGAON.

(MR. J. R. DRUMMOND).

The Subordinate Judge notes that the execution bailiffs find it difficult to make return of warrants by the fixed date, because the warrant often reaches them at some place a long way from the village where it has to be executed.

I have heard nothing adverse to the remodelled scheme and know of no defects in its working as yet beyond the difficulty already mentioned, on which, pending further experience, a definite opinion can hardly be formed.

DISTRICT JUDGE, ROHTAK.

(LT.-COL. RENNICK).

The system prescribed by the Chief Court Circular No. 21 of 15th May 1889 is adopted in this district and works fairly satisfactorily. A report on its working will follow separately.

DISTRICT JUDGE, KARNAL.

(MR. J. G. SILCOCK).

The new system of serving processes through Tahsil Munsifs which was originally introduced in this district in 1889 has now been fully brought into practice, and the process-servers are not employed on any extraneous duties.

DIVISIONAL JUDGE, UMBALLA DIVISION.

(Mr. G. L. Smith).

The new scheme of establishments has not been at work long enough for a judgment to be passed on its results. Probably next years's report will show an improvement in the work of these establishments. The service of summons by sending the same by post to outlying courts for service appears to answer well.

DISTRICT JUDGE, UMBALLA.

(Mr. R. L. Harris).

During the year some Naib-nazirs were added to the establishment, and several peons were reduced. The whole new scheme laid down for the district did not, however, come into force during the year under report; and it is too early to report on the working of the new scheme.

DISTRICT JUDGE, LUDHIANA.

(Mr. G. Lewis).

The new system of serving processes by which processes for service in outlying jurisdictions of Munsifs are sent by post to the local Munsifs, thence to be served by process-servers under his orders, and *vice versa* has for some time been in full operation in this district, and is working satisfactorily.

The appointment of the Madad Naib-nazirs and Madad Moharrirs will, I am confident, improve the working of the Munsifs' courts, whose establishments heretofore were much overworked.

DISTRICT JUDGE, SIMLA.

(Mr J. G. M. Rennie).

Process-servers are now for the most part employed on their legitimate duties, and the rule forbidding their being otherwise employed is regarded. One, however, is taken out by the Deputy Commissioner when on tour and utilized as a Khalasi, and two are employed by me as chaprasies, none of the district chaprasies being available.

DIVISIONAL JUDGE, JULLUNDUR DIVISION.

(Colonel H. M. M Wood).

It is not necessary to add any remarks to those of the District Judge under this head. it is only to be hoped that the improvement in the process-serving establishment will improve the execution business of the courts.

DISTRICT JUDGE, JULLUNDUR.

(Diwan Ram Nath).

The change introduced in the establishment by Chief Court Book Circular No. XXI dated 10th November 1890, was completely effected only from the 1st January 1891 and cannot be discussed in this report.

DIVISIONAL JUDGE, HOSHIARPUR DIVISION.

(Mr. G. W. Rivaz).

The Hoshiarpur report shows that the number of process-servers has been reduced from 128 to 110.

The process-serving work seems to be fairly done in this district.

The District Judge of Kangra reports that steps were taken to give effect to Chief Court Book Circular No. XXI of 1890 from the 1st January 1891. Processes have, since the change of the law, been served through the local courts, and Mr. DeCourcy anticipates that the arrangement he has now made ought to ensure further promptitude.

The District Judge notices that difficulty is experienced in employing Army pensioners as process-servers. They either wish to be orderlies to officers or to work as process-servers n their own tahsils.

I have had similar complaints from Tahsildars regarding pensioners who have been appointed Tahsil chaprasis, *viz*, that they are above the work and are extravagant in their requests for leave to visit their homes.

DISTRICT JUDGE, KANGRA.

(Mr. W. B. DeCourcy).

The Chief Court Book Circular No. XXI of 1890 was acted on during the year, but its actual operation was put off to the 1st January. Processes were already being served "tahsilwar," and now the arrangements made ought to ensure further promptitude. As I said last year, we have reduced the number of peons allowed us, and I hope to keep the number at the *Sadr* at what it is, if the system of permanent advances is sanctioned by an early date, or some system like it is introduced instead.

There is a difficulty experienced in obtaining Army men for the post of process-server. They either wish to be orderlies to officers or to work as process-servers at their own tahsils. I have had to neglect them for this reason. I cannot think it is intended they should have their own way.

DISTRICT JUDGE, KULLU.

(Lala Moti Ram).

The system of process-serving in force in the Kullu civil district is the same as prescribed in Chief Court Book Circular No. XXI of 1890 and all the processes issued by the District Judge or higher courts are served by establishments maintained at tahsils and at the offices of the Honorary Civil Judges.

DISTRICT JUDGE, GURDASPUR.

(Lt-Col. Hutchinson).

Thirteen peons were brought under reduction and three Naib-nazirs, two at Rs. 15 per month each and one at Rs. 10 per month were appointed to give effect to the new system by which it was arranged that processes should be served tahsilwar. This system has now been brought into force throughout the district.

DIVISIONAL JUDGE, SIALKOT DIVISION.

(Mr. M. Macauliffe).

Considering the increase in the income of process fees and in the number of processes and the long distance which peons have to traverse, especially in the Hafizabad tahsil, I think that the number of process-servers should be increased, and I have requested the District Judge to send me his recommendation on the subject.

DISTRICT JUDGE, GUJRANWALA.

(Mr. D. C. J. Ibbetson).

The increase in 1890 in salary paid to Nazirs and Naib-nazirs is owing to the appointment of 2 Madad Muharrirs from the 7th November 1890. The decrease in the amounts paid to peons is owing to the reduction of the number of peons by 10 with effect from 8th November 1890. This reduction has been accompanied, or rather preceded by a large increase in the number of processes to be served and by an enormous increase in the income, and must, I fear, aggravate the evil touched upon under the preceding head.

DISTRICT JUDGE, LAHORE.

(Mr. W. A. Harris)

The strengthening of the process-serving establishment having been effected from 2nd January 1891, cannot well form the subject of remark in this report. Besides the whole of the subject formed at the time the subject of special corespondence.

DISTRICT JUDGE, HISSAR.

(Lieutenant Parsons).

I regret that the issue of the Book Circular revising the process-service management and the removal of the District Judge, Rai Mulraj, were almost simultaneous. The extra appointments sanctioned by the Circular were filled up by him during the early days of December, but he had no time to issue instructions to take effect from the 1st of January 1891, before he was transferred to Amritsar about the 23rd December. I thus was only District Judge during 1890 for 8 holidays which gave me very limited experience on which to base this report. Moreover the transfer prevented the arrangements of the process-service establishment as now initiated from being carried carefully into effect on the 1st January. I have not yet had time to give the subject proper attention. The decentralised system of service is, however, more or less completely in force, and on receipt of further sanction to the new plan of remitting witnesses' expenses to and from the centres of service, the arrangements will be made as complete as may be. A Naib-nazir is now

stationed at each tahsil. I have, however, to point out the great difficulty that still remains in connection with the attestations of depositions of process-servers by Naib-tahsildars, amongst whom transfers are frequent. If application for the powers of recording such depositions are to be made in each case, in order that the powers may be conferred by name, it will often happen that before sanction arrives for one nominee another nominee will have taken the place of the first one.

DIVISIONAL JUDGE, MOOLTAN DIVISION.

(KHAN MUHAMMAD HAYAT KHAN, C. S. I.)

The new system of serving processes by agency located at tahsils has been carried out in all four districts.

DISTRICT JUDGE, MOOLTAN.

(MAULVI MUHAMMAD HUSSAIN.)

As to the process-servers, very few of them know what the law and rules require of them. I think almost the same is the case in every district. Due discretion has not been exercised in their appointment. Either they are wholly ignorant or mere Munshis who cannot walk on foot. What is actually required is neither one nor the other. On the same principle I don't like the recent employment of bailiffs on Rs. 8 per mensem, who are generally those who hold the middle school certificate. They will require to be watched with more care by their officers, being more competent to do mischief and more skilful to screen it.

I would like to have sturdy men with a smattering of Urdu enough to write an endorsement and to understand the rules, on Rs. 6 per mensem. This salary would have kept the middle pass Munshis away.

I would suggest to have little pamphlets containing all the sections of the law and rules relating to the service of summons and execution of warrants, prepared and distributed to the process-servers gratis or on payment of the price, and lastly, to have a rule that none but the candidates who should pass an oral examination in these sections and rules be employed in future as a process-server, and only those of them who are already employed be kept in service, after say 1892 who should satisfy the District Judge that they, whether literate or illiterate, know the sections and rules by heart.

DISTRICT JUDGE, JHANG.

(LIEUTENANT MARTINDALE.)

The directions of the Chief Court conveyed in General letter No. 3411G., dated the 30th July 1890, from the Registrar of that Court, to lessen the number of process-servers could not be carried into effect, and it was explained that the present establishment of process-servers was even at that time inadequate to perform the service efficiently; as in the hot months, when the rivers are in flood, the process-servers could not cross them in one day for service of summonses beyond the rivers, and in the vast jungle lying to the east of the Sadr station the peons have to travel great distances to serve the bar people who have no permanent habitations.

DISTRICT JUDGE, MONTGOMERY.

(MR. T. J. KENNEDY).

The orders conveyed in Chief Court's General letter No. 3411, dated the 30th July 1890, have been carried out enjoining a new system of serving processes through agency located at tahsils.

I think that the orders for the service of all summonses through tahsils is a somewhat retrograde step. Before the orders were received, I had arranged that in all the large towns of the district, summonses should be served by post, but this had to be put a stop to. Every Deputy Commissioner in the province probably knows the exactions committed by subordinate officials clad with brief authority as "Sirkari naukar," and I think it is a matter for regret that the numbers of these men should have been increased, and that the existing agency for the distribution of correspondence should not have been more fully utilized for the service of processes.

DISTRICT JUDGE, SHAHPUR.

(MR. A. E. HURRY).

The average number of processes served by each peon was 827. During the month of August 1890, 2 Madad Naib-nazirs were added to the staff, and the peons were reduced from 58 to 48. It is hoped that by these means the service of processes by local courts will be facilitated. The other modifications in the strength of the establishment were laid down during 1890, but they took effect during January 1891, and are, therefore, not touched on in

this report. It is sufficient to remark that the pay of process-servers remains too low to attract an intelligent and trustworthy set of men, and the appointment of execution bailiffs, though a concession in the right direction, requires to be extended to bring this branch of civil procedure to a condition of efficiency.

DISTRICT JUDGE, RAWALPINDI.

(Mr. J. A. Anderson.)

There were 94 process-servers employed during the year up to end of August 1890. Their number has been reduced to 80 which I am disposed to consider too few; however, after the arrangement has lasted for some time it will be seen how it works.

DISTRICT JUDGE, DERA ISMAIL KHAN.

(Mr. T. H. Homan).

All processes are now served in the manner prescribed by the late circulars of the Chief Court, and from the 1st January 1891, the full establishment sanctioned by Book Circular No. XXI of 1890 has been entertained. All the Naib-tahsildars now in the district are empowered to take affidavits of process-servers.

DISTRICT JUDGE, DERA GHAZI KHAN.

(Sardar Muhammad Afzal Khan, K. B).

There is an increase in the cost of establishment of Rs. 100. This is due to the revision made during the year in accordance with the orders of the Chief Court.

DIVISIONAL JUDGE, PESHAWAR DIVISION.

(Mr. A. Christie).

The new system of service of processes has been introduced and the additional establishments sanctioned have been entertained in all the districts.

DISTRICT JUDGE, PESHAWAR.

(Mr. F. Field).

All process-servers who were employed on duties other than their own have been re-called to their proper duties.

Arrangements regarding the service of processes by tahsil agency have been carried out and Maddad Naib-nazirs have been posted at the head-quarters of each tahsil (except Peshawar) to receive processes despatched by post and to get them served through the men deputed there. It is impossible to say yet what will be the result of the new method, but there seems every prospect of its doing well and simplifying matters. It is possible that a larger number of men may, in the future, be required for the work, but at present the staff seems sufficient. The further report on this subject called for by the Chief Court will be submitted at the proper time. In the meanwhile the arrangement is being carefully watched.

The new scale of establishment sanctioned by Chief Court Book Circular No. XXI of 10th November 1890, is introduced from the 1st January 1891.

DISTRICT JUDGE, HAZARA.

(Mr. A. F. D. Cunningham).

The use of the post office for transmission of processes from court to court, and service by the peons of outlying courts were introduced here two years ago on the passing of Act VII of 1888.

The difficulties in process-serving in a mountainous country are great and the staff allowed for this district is small.

I believe if a system like that by which the post office "delivery peons" distribute letters were adopted, dividing the district into circles with a mazkuri attached to each, there would be more regularity and less delay in serving processes.

Deputy Inspectors of Police in rural thanas could, if necessary, be appointed to administer an oath and take affidavit of service. This would seem quite as useful as the procedure which has been adopted of gazetting as invested with this power Naib-tahsildars who already as Assistant Collectors empowered to try Revenue suits under Act XVI of 1887, can take evidence on oath in judicial proceedings.

DISTRICT JUDGE, KOHAT.

(Captain F. Egerton).

The new system of serving processes through tahsils is already acted upon in this district, and the additional establishment as sanctioned in Chief Court Book Circular No. XXI of 1890, has been entertained from 1st January 1891.

XI.—SUPERVISION OF THE CIVIL WORK OF SUBORDINATE COURTS

DISTRICT JUDGE, GURGAON.

(Mr. J. R. Drummond.)

The plans filed for different purposes in civil suits and execution proceedings appeared in several cases I have seen to be unworthy of the name.

The fact is that there are no surveyors or architects out of Government employ in the district, and it is surprising how parties manage to comply even so far as they do with the exigencies of the record in this respect.

XII—ANY OTHER SUBJECT CONNECTED WITH THE ADMINISTRATION OF CIVIL JUSTICE

DISTRICT JUDGE, DELHI.

(Mr. S. Clifford).

There are three points in the matter of execution of decrees which I think require to be specially brought to notice, *viz*, resistance or obstruction to attachment, making away with attached property and refusal to sell land.

The matter of resistance or obstruction to attachments is dealt with by the Judge of the Small Cause Court, and I concur with him in regretting that civil courts have not power to summarily punish such contempts which are becoming too frequent.

In the making away with attached property, (I refer to property made over to a "*Sapurddar*"), it sometimes happens that when he is called upon to deliver up the property for sale, he professes his inability to do so, saying the judgment-debtor has taken back his property. Very often this excuse is made in collusion with the judgment-debtor, and the court has no means of recovering summarily the value of the property from the "*Sapurddar*."

In the matter of the sale of land, it appears to me that the rules require modification. It is not satisfactory that the civil courts should take institution fees and pass decrees which, by the action of the rules, they cannot execute, more especially in the case of mortgage decrees. It would be far better if, instead of refusing sanction to sale, the Revenue authorities were to propose some arrangement. As it is, the land being under attachment, the courts now appoint receivers to manage it under section 503 of the Civil Procedure Code, and thus the judgment debtor is practically deprived of his land for a generation or two, if not for ever.

DISTRICT JUDGE, GURGAON.

(Mr. J. R. Drummond).

Suits by way of conditional sale.—The Regulation as to decrees declaring the sale absolute, where a very small quantity of mortgage money remains unpaid, is very hard upon mortgagors.

The attachment and sale of landed property in execution of decrees, besides being expensive and troublesome to the parties, very much affects the business of the executing courts, by spoiling the average duration of disposals and realizations and necessitating repeated explanations with regard to high pending file in number as well as the amount to be realized, while a very little or no progress is shown, for periods sometimes extending over years. To remedy this defect to some extent either some restriction should be placed on judgment-creditors for making such applications, or Divisional Judges should be empowered to sanction sales of lands where decrees have expressly been passed against them.

Where judgment-creditors do not appear to certify money received by them out of court after issue of execution process, the Nazir or bailiff in its charge ought to enforce it in full, without listening to the request of the party concerned, unless the court issuing the process withdraws it.

In cases where judgment creditors do not appear to certify payment or adjustment out of court, if I understand the point correctly, I should be more disposed to examine the process-serving agent on the facts, and in certain cases to *subpœna* the parties as witnesses, charging the cost of process to the party appearing to be mainly in fault.

In any case I am convinced that the provisions of section 258, Civil Procedure Code, (even as amended by the Act of 1888) are not practically adapted to the present conditions of this province.

A free hand is required for courts in executing decrees in the interest alike of decree-holders and of judgment-debtors, as regards the taking of accounts subsequent to the passing of the decree and equitable adjustment.

DIVISIONAL JUDGE, UMBALLA DIVISION.

(Mr. G. L. Smith).

I think that with the highly refined system of law now administered in the country and the growing strength of the Bar, judicial officers are rather at a disadvantage as regards their training, and that all who are destined for a judicial career should go through a course of law lectures.

In the criminal report I have made some remarks regarding perjury. Civil cases suffer as much as criminal ones from this offence, and a remedy is equally desirable in both cases.

I shall not mention the subject further here except to add as follows.—A very common class of suits, is that founded on pre-emption. As far as ascertaining the right of pre-emption is concerned, these cases give little trouble and few would come into court if this were the sole matter in dispute, but it is not. The chief dispute is almost always about the price. *It is a very general custom to enter in the deed of sale (and stoutly support it in court) a fictitious price greatly in excess of the real price paid. This is done with a view to defeat the claims of pre-emptors. To ascertain the *bona fide* price is often a matter of great labour and difficulty and to decree a price less than that named is a great responsibility as if it happens to be really less than that paid a very great injustice is done. All this would be obviated if a check could be put on the pernicious practice of entering ficititious prices which at present is followed with perfect impunity. Lately I have ordered prosecution for perjury in some of these cases and am sanguine of this effecting a reduction in the number of these fraudulent cases.

DISTRICT JUDGE, UMBALLA.

(Mr. R. L. Harris.)

Village *abadi* suits between members of the proprietary body, and boundary *(haddshikani)* suits would be more satisfactorily tried by Revenue Courts on the spot. This would save a good deal of unnecessary hard swearing and waste of time in Civil Courts.

DISTRICT JUDGE, LUDHIANA.

(Mr. G. Lewis).

In paragraph 43 (5) of this report I have stated that, in collusion with judgment-debtors and sometimes for their own gain, *Supurd-dars* are also beginning to give trouble. In the present state of the law, where they fail to restore the property entrusted to them, the only way to recover it from them, is by a regular suit, brought by either the decree-holder or the judgment-debtor. If a Criminal prosecution be launched and be successful, but sufficient compensation be not awarded from the fine, even then the property has to be recovered by regular suit. Inasmuch as a *Supurd-dar* becomes the custodian of the attached property for and on behalf of the attaching Court, I submit it is a little hard on the parties to the execution proceedings, that one or other of them should be left to pursue the tedious, costly and very often uncertain course of recovery by suit. Sometimes the value of the property involved may be so small as to be not worth the trouble of suing for. I would suggest that where a *Supurd-dar* fails to restore or deliver up property entrusted to him, it or its value, should be made recoverable from him summarily, in the manner provided for the execution of decrees for money or moveable property. This would have a salutary effect, would increase the amount of realisations in decrees, and would, above all, be more just to the parties.

DISTRICT JUDGE, SIMLA.

(Mr. J. G. M. RENNIE.)

I desire here to make a few observations on the subject of suits brought on Hundi paper. This kind of instrument is very largely in use amongst Simla traders, and I am convinced that it is largely used as an engine of fraud. I am not prepared to say that many false claims are brought in the Simla courts, that is to say, cases that are absolutely groundless; but I do think that a considerable amount of false evidence is fabricated by means of these hundi notes. A man has perhaps gone down for the winter and his claim is thereby barred by limitation. The most simple method of reviving it is by means of a forged hundi note, which will bring it within limitation. Another instance is where the original debtor dies, the creditor knowing it will be useless getting a decree against his representatives, promptly forges a hundi purporting to be executed by one of them in the hope that he will be able to obtain a personal decree. The difficulty is that no check can be applied to these notes. There is no attestation by witnesses on them, and if, as has been suggested to me, fraud cannot be presumed, or at least the burden of proving his claim to the bill thrown upon the plaintiff, I consider a large amount of injustice may be done.

In connection with these hundis a system is in force of recording in the body of the instrument that "this note was written in the presence of so and so" without obtaining the alleged witnesses' signature on the note. This appears to me to be a distinct evasion of the Stamp Act, as it is an attempt to obtain the security of a bond, while merely paying the duty on a promissory note. I believe bonds up here are seldom or never forged, and it is only to be regretted that they are not more extensively made use of.

DISTRICT JUDGE, JULLUNDUR.

(Diwan Ram Nath).

Since the arrival of Circular Memo No. 16 of 30th June 1890, I have cautioned all the courts to allow no mukhtar to exceed his legal powers, but in the Punjab it is difficult for a Mukhtar to practise his profession without acting and pleading, and I

think if they are made pleaders of 3rd grade or pleaders of Munsifs' courts, they will be a in much better position than a Mukhtar of 1st grade.

It is also complained of that the interrogatories sent for Patwaris' examination are very badly and defectively complied with by the local Revenue officers, that is, Tahsildars, and it is in very few cases that the reply comes in time.

DIVISIONAL JUDGE, HOSHIARPUR DIVISION.

(Mr. G. W. Rivaz.)

One peculiarity of the litigation of this district is the prevalence of cases relating to alleged encroachment on a field boundary. Such encroachments can in some parts of the district be made with ease owing to the sandy nature of the soil and the absence of well defined boundaries, and many of the cases are no doubt true; but very often the only foundation for the suit is that the plaintiff has discovered that, owing to the settlement measurements not being absolutely accurate, his field area was overstated. As in other districts, there is a good deal of litigation caused by the uncertainty of the customary law, it will save much expense to the people in law suits when the Government feels able to lay down on some of the most important points a binding declaration of the law. To me it seems more desirable that the law should be certain than that every section of the community should be allowed to follow what it alleges to be its own special variation of the general custom. Non-registration of marriages opens the door to a good deal of unsatisfactory litigation usually relating to widows.

In pre-emption cases it appears to me that the Punjab Laws Act gives less right to nearness of kinship than does the general sentiment of the people, and the success of the attempts to prove a special custom recognizing this claim in a village not held on ancestral shares, is mainly a matter of chance : if sales have been very few, precedents are probably not forthcoming.

A good deal of litigation arises from the declaration of the law as to alienations by a childless proprietor made in *Punjab Record* No. 107 of 1887 ; purchasers of the lands of such proprietors before that decision suddenly find their title challenged, perhaps nearly 12 years after their purchases, in a way they had no reason, from the course of previous decisions, to anticipate.

I quite agree in Mr. Channing's view that it would be a benefit to the people, and it certainly would cause a great saving of public time, if the more important and generally accepted customs were made authoritatively binding on those classes of the community which are known to commonly recognize them. In Kangra, the non-registration of betrothals and marriages probably leads to more litigation than even in Hoshiarpur.

DISTRICT JUDGE, KANGRA.

(Mr. W. B. DeCourcy).

I would mention that great inconvenience is experienced in proceeding with cases in which the defendant or defendants belong to the Army. There are a very large number of this district so employed. If they appear, priority is given to their cases as is required by rule ; but it frequently happens they cannot appear either because it is the drill season, or they are at a camp-of-exercise, or engaged in a campaign. Ordinarily a soldier would be represented by an agent if he could not get leave ; but the circumstances I have stated are special, he cannot be spared, and we have to arrange for time for him to appear. It does not strike me as fair that the case should proceed *exparte* if he cannot attend. He naturally would attend if he could. In such cases were it possible to pass an order consigning the file of the case to the record room for a given time, it would be an advantage to all concerned. The provisions of chapter XXII of the Code do not, I think, meet such a case.

Petition-writers are now no longer advisers, and no doubt this is a good thing ; but it would be a great thing also were they given a schedule of charges for adoption. At present, as we all know, they may, and do charge just what they like. In this district, where work is light, there are writers out at tahsils earning nearly a thousand rupees in the year. Efforts are made to keep down charges ; but of course they cannot go for much as the writer knows that they are only administrative, and fears that the time will come when his earnings will decrease, because they will be regulated by order.

It will have been noticed that suits by bankers and shopkeepers form the principal part of the litigation in this district. Up to the publication of *Punjab Record* No. 32 of 1890, it seemed to be easier than it is now to protect the agriculturist as to interest. Chief Court Book Circular No. XIV of 1890 was issued with instructions as soon as received, and is worked carefully ; but appeals for interest have increased all the same, suits connected with betrothal contract are ordinarily numerous and certainly difficult of satisfactory decision. Perhaps it would be a good plan were such contracts registered before village officers as was done in the Sialkot district. These cases implicate a large number of people as a rule, and have to be fought out for the honor of the thing very often.

DISTRICT JUDGE, AMRITSAR.

(Rai Buta Mal.)

When changes of officers take place as they must in the exigencies of the service, much inconvenience is caused by the relieving officers not coming invested with the same powers as their predecessors. Files of cases have to be transferred to another officer exercising similar jurisdiction if available, or proceedings suspended till powers can be obtained either for the relieving officer or some other selected officer in the district, which necessarily takes up some time. Similar or perhaps greater inconvenience is felt when the Deputy Commissioner, in the interests of the criminal or executive administration which is considered more important, gives a large share of work to an officer at the Sadr who has a file of important civil suits pending in his court. The result in both cases is that suits are postponed and arrears accumulate, which when the necessary agency becomes available, require special efforts to clear off. Now that under the instructions contained in Chief Court Book Circular No. XX of 1890, land suits over Rs. 100 in value, the number of which is considerable in some districts, cannot be sent to Munsifs, and as these are the kind of suits which involve much labour and contention, the civil work in the courts of Extra Assistant Commissioners will be increased.

To facilitate the disposal of civil suits and to avoid accumulation of arrears, the best thing that I can suggest will be to depute special Extra Assistants for civil work with due regard to the requirements of each district.

These officers may be invested with criminal and revenue powers as other Extra Assistants may have civil jurisdiction to meet emergencies, but they should not as a rule be employed on duties other than those for which they have been specially deputed. When exceptionally employed so as to be unable to do the usual amount of their special work, the fact can be noted in the monthly returns by way of explanation.

DIVISIONAL JUDGE, SIALKOT DIVISION.

(Mr. M. Macauliffe.)

One of the most serious hardships I have felt for the last few years is the frequent changes of Extra Assistant Commissioners, who can now be transferred by the Commissioner at his pleasure. When I have an apt man and have brought him into shape, he is transferred without any reference to me, and a new man sent me, also without any reference to me, whom I have again to bring into shape. This is one of my reasons for preferring that the Munsifs who are fixtures and whom I know, should do the most important portion of the civil work.

DISTRICT JUDGE, SIALKOT.

(Mr. A. C. Marshall).

There appears to me to be a tendency with some of the Munsifs of this district to wage a sort of arbitrary philanthropic war against interest irrespective of whether it was really due or should be disallowed or reduced on the merits of each case. This is particularly noticeable in appeals that have come before me from the Munsif of Raya, even during the short time I have been here. I hope to be able to check this tendency by carefully noticing each case as it comes before me in appeal.

DISTRICT JUDGE, LAHORE.

(Mr. W. A. Harris).

I find a practice is springing up here of presenting petitions for the transfer of pending cases from the court of one officer to that of some other as petitioner does not expect justice will be done to him by the first court. Sometimes it is because of *sifarish* to the court by a friend of the other party, or because the presiding officer of the court happens to know a friend of one of the parties to suit, or because the relations of one of the parties to suit happens to come from a village in the same district as that from which the Judge of the court comes, or because a distant relative of one of the parties to suit happens to be residing with some relation of the presiding officer of the court in some district, and other reasons similar to these. Sometimes the reason being that the officer of the court had spoken roughly to the petitioner.

While admitting that it is desirable that a suit be decided by a tribunal in whom both parties place inplicit confidence, it cannot be doubted that frequently these petitions are filed with the view of casting a slur on the official reputation of the presiding officers of courts, though to prove the motive may not be an easy matter. It sometimes becomes a delicate matter to dispose of such petitions. If the matter is referred to the native Judges, as to whether they desire the transfer of the cases, and these are either Munsifs or Honorary Judges, the reply invariably is that they do not desire to transfer the case though the District Court might do so if it likes.

As there are more legal practitioners than can get fair work, such are only too glad to take up such petitions for transfer of cases. As a rule, knowing that transfers of cases

except in special cases must necessarily injuriously affect the prestige of the courts, I am very much opposed to accepting such petitions and discourage them as much as possible.

I think it would be a step in the right direction if certain selected Munsifs were invested with the powers of a Judge, Small Cause Court, in Small Cause Court suits up to the value of Rs. 50, or if this be too high to the value of suits decided by the Registrar of the Small Cause Court, Lahore.

DIVISIONAL JUDGE, MOOLTAN DIVISION.

(KHAN MUHAMMAD HAYAT KHAN, C.S.I.)

I agree with the District Judge of Multan in the remark that the responsibility of a *supurddar* is not well defined, and that it is necessary that when a *supurddar* dishonestly makes over to the judgment-debtor the property entrusted to him, he should be held responsible under section 643, Civil Procedure Code, which should be so amended as to include section 406, Indian Penal Code in it.

I agree with Lieutenant Martindale in the opinion that the Munsif of Jhang is overburdened with work, and that an extra Munsif for 4 months a year should be sent to Jhang. The number of cases decided by the Munsif of Jhang was 3,002, which is in excess of the prescribed maximum scale.

Mr. Kennedy's proposal to invest the Honorary Magistrate of Dipalpur with civil powers appears reasonable.

I agree with Sirdar Gurdial Singh that the work at the Sadr is too heavy for one Munsif. His proposal to invest Mian Mahbub, Honorary Magistrate of Thatta Gurmani with civil judicial powers may be considered when a separate report is received.

Complaints are constantly increasing that money-lenders strike fictitious and forged balances in their account books, and appear as witnesses for one another to prove the balances so struck. As stated by the District Judge of Jhang, the practice of forging documents is gaining ground, and it is very difficult to detect these forgeries especially because the civil courts can spare very little time to make enquiries into forged documents. The people are more apt to give false evidence, and the only remedy to prevent the evil is to direct the civil courts to enquire into such charges when there are sufficient grounds to do so.

The landed property of the agriculturists is quickly passing into the hands of the money-lenders, a political result much to be regretted. This cannot be checked unless an Act is passed.

Unfortunately the practice of *lekha mukhi* mortgage is very prevalent in this division. Nearly in all such cases coming up in appeal, I have noticed the *lekha mukhi* mortgagee enters in his *bahi* the expenditure at a considerably high figure and the income at a very low rate as compared with the actual amount spent and the annual income received. The result is that after a few years the land is so much encumbered according to the accounts of the mortgagee that its redemption becomes improbable if not impossible.

The *lekha mukhi* mortgage accounts are not regularly kept up, and the mortgagees do not get the mortgagors to sign the annual accounts in the *bahi*, and this affords them much scope to make up their accounts as they like. Besides, when any mortgagee sues a mortgagor for produce, he claims for one year a sum such as he has not allowed to the mortgagor for the preceding ten years.

In appeal cases the attention of the subordinate civil courts was invited to the fact that where the mortgagee does not keep satisfactory accounts of income and expenditure, the court should take into consideration the capacity of the land, and allow the value of an average good harvest, and this is the only remedy for the above evil.

DISTRICT JUDGE, MOOLTAN.

(MAULVI MUHAMMAD HUSAIN).

The *sapurddar* is an important factor in cases of attachment of moveable property. In many cases he is as a rule a village headman or some other influential agriculturist. A shopkeeper seldom dares stand as a *sapurddar*, especially in the case in which the judgment-debtor is a zemindar. It is often the case that the *sapurddar* being related to the judgment-debtor and naturally in sympathy with him makes away with the property, knowing that the civil court cannot take any immediate steps against him, except to refer the decree-holder to a civil or criminal action. This not only lowers the prestige of the civil courts, but hinders very much the realization of the demands in execution of decrees.

The simplest remedy, I think, would be to amend the section 643 of the Civil Procedure Code, so as to include section 406, Indian Penal Code in it as far as it relates to *sapurddars*.

DISTRICT JUDGE, MONTGOMERY.

(Mr. T. J. Kennedy).

The chief matter which I think necessary to mention under this head is to reiterate my remarks made last year on the cruel hardships inflicted on litigants, which presses most severely upon the poorest classes who are dependent upon their earnings for their daily bread, by the centralization of the administration of civil justice at the district head-quarters. Repeated complaints reach me upon this subject. The present system amounts to little less than a denial of justice to the poorest classes in the community, for they are not able to support the heavy expenses entailed by frequent journeys to the *sadr* station, payments to witnesses, &c., &c., while a rich man who has many cases can easily arrange to file these cases at one time and secure one date for the hearing of his several suits. I proposed last year to obviate this evil by proposing the investiture of the Honorary Magistrates at Dipalpur with civil powers, but on interrogating these gentlemen, I learnt that they were not willing to do civil litigation. I think the other proposal I made in this connection is quite feasible.

DISTRICT JUDGE, JHELUM.

(Kazi Muhammad Aslam Khan, C. M. G.).

The high rate of interest charged by money-lenders deserves some notice. In some cases I have seen that more than 50 per cent per annum interest is charged to the agriculturist, who I am afraid does not quite understand the terms of the bond executed in his name. I am afraid some of the Munsifs in this district do not pay much attention to the pleadings of the ignorant agriculturists, and on the evidence of two or three other money-lenders give a decree in the *banniah's* favor. This state of things is very unsatisfactory.

No complaints have been received against the petition-writers, but there is a hue and cry against the bond writers in the mufassil, who are accused of writing forged bonds in the names of persons who are unfortunate enough to incur the displeasure of an intrigueing person. I think it will be an improvement if no person other than a licensed petition-writer were allowed to write a bond. Under the present system everybody is at liberty to write a bond, and this I think gives opportunity to many to forge a bond. The stamp vendors are also not spoken of well. It is a mistake in my opinion to grant a license to sell stamps to a person who is not a respectable man.

DISTRICT JUDGE, GUJRAT.

(Baron J. Bentinck).

In my opinion the following amendment should be introduced into the provisions regarding the payment of decrees or adjustment of debts, contained in section 258 of Act XIV of 1882 :—

" If such payment of decree or adjustment is certified by the decree-holder to any " civil, criminal or revenue court, the payment or adjustment shall be deemed to have " been certified to the court issuing the decree, provided that the certificate is in writing."

This amendment if introduced would much benefit the rural debtors, for it might enable them to have such payment or adjustment certified to the Tahsildar or the Naib-Tahsildar when out in camp.

The period of limitation, *viz.*, 15 days provided under heading 161 of Act XV of 1877, is too narrow. It should be raised to 3 months.

The following addition should be made to section 328, Act XIV of 1882.

After the words " for the possession " the words " or attachment " should be inserted.

If an officer entrusted with the execution of a decree for the possession of property is resisted or obstructed by any person, the decree-holder may within one month complain to the court, but no relief is provided for decree-holder in the court issuing the decree if resistance or obstruction is offered to an officer executing a decree for the *attachment* of property.

DISTRICT JUDGE, RAWALPINDI.

(Mr. J. A. Anderson).

The working of the Succession Certificate Act, VII of 1889, which has been in force for more than a year, strikes me as bearing hardly on poor creditors residing in such a district as this, where great distances have to be traversed. Section 4, sub-section (1) provides that no court shall pass a decree against a debtor, except on production of a certificate granted under this Act, or a certificate of administration. Sometimes cases are brought in Munsifs' Courts and thrown out before the representative of the creditor has had time to get a certificate.

The production of a certificate has been made compulsory even if the debt be for a trifling sum, *e. g.*, for no more than Rs. 10. A deposit of fees is exacted with the application. Banker representatives of creditors are thus practically cut off from redress through the courts, and their debtors will be only too ready to avail themselves of this opportunity to refuse payment. The old system which left it in the discretion of the court to decree without production of a certificate in small suits brought by poor people, worked smoothly enough, and it is to be regretted that, for the sake of getting a little extra revenue, so much hardship should be occasioned.

STATEMENT No. 1.

STATEMENT SHOWING THE NUMBER OF JUDICIAL DIVISIONS AND THE NUMBER OF OFFICERS EXERCISING JURISDICTION IN CIVIL CASES ON THE LAST DAY OF THE YEAR 1890.

1	2	3	4	5	6	7	8	9	10	11	12
Class of court.	Area.	Population.	Number of divisions for courts under Chief Court, but superior to Chief Courts of districts.	Number of districts	Number of sub-districts.	Number of officers.		Total number of cases decided.			
								Original.		Appeal.	
						European.	Native.	Regular.	Miscellaneous.	Regular.	Miscellaneous.
Honorary Courts	107,010 square miles.	18,842,264.	14	31.	124.	1	51	11,560	1,263	...	...
Paid Sub-divisional Courts { Munsifs ..						...	83	180,599	26,038	...	...
Paid Sub-divisional Courts { Tahsil ...						...	122	15,566	1,818	...	...
Small Cause Courts						13	4	20,792	1,123	...	...
District Courts other than Chief Courts of districts						24	80	22,362	6,215	...	...
Chief Courts of districts						27	21	2,387	6,285	9,659	826
Total ...						65	361	253,266	42,742	9,659	826
Divisional Courts						13	1	4	2,647	8,298	638
Chief Court						5	...	3	14	1,502	190
Grand total ...						83	362	253,273	45,403	19,459	14,65

STATEMENT No. 2.

STATEMENT SHOWING THE NUMBER AND DESCRIPTION OF CIVIL ORIGINAL CASES INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB, DURING THE YEAR 1890.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
	Suits for money or moveable property.													Other suits.							
	Contract in writing.													Suits for possession or recovery of immoveable property founded on							
Class of tribunal.	Registered.	Unregistered.	Contract not in writing.	On account stated.	Money lad and received.	Goods sold.	Wages, work and materials.	Rent, other than of land.	Moveable property or value thereof.	Damages.	Other suits for money or moveables not already mentioned.	Total.	Rent suits and suits under the Punjab Tenancy Act, referred to the Civil Courts under section 54, Punjab Courts Act.	Contract.	Inheritance.	Gift.	Right of pre-emption.	River action.	Other causes.	Suits to recover possession of immoveable property under section 9 of the Specific Relief Act.	Suits to compel specific performance of contract.
Honorary Courts	111	3,183	1,900	3,303	39	109	127	76	832	103	135	9,918	...	328	158	...	67	...	248	15	8
Paid Sub-divisional Courts ... Munsifs ...	994	77,070	25,859	35,482	177	2,005	1,491	1,710	10,660	1,165	1,019	157,632	...	3,059	2,439	43	972	30	3,433	199	22
Paid Sub-divisional Courts ... Tahsil ...	59	2,862	2,413	2,889	32	87	103	126	1,136	79	216	10,002	...	912	977	19	394	39	2,209	167	31
Small Cause Courts	56	6,422	3,960	3,998	130	3,050	1,134	1,357	250	44	38	20,439	...	1	2	...	...	...	2	...	...
District Courts other than Chief Courts of districts ...	599	3,181	1,237	2,135	77	38	105	132	418	167	173	8,232	9	2,857	2,288	90	1,311	10	2,620	189	69
Chief Courts of districts	179	261	46	339	1	4	6	11	27	22	14	910	..	116	189	6	130	5	266	14	6
Total ...	1,998	92,979	35,415	48,146	456	5,293	2,966	3,412	13,323	1,550	1,595	207,133	9	7,273	6,053	158	2,874	84	8,778	584	136
Divisional Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Court	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Grand total ...	1,998	92,979	35,415	48,146	456	5,293	2,966	3,412	13,323	1,550	1,595	207,133	9	7,273	6,053	158	2,874	84	8,778	584	136

STATEMENT No. 2.—*concluded.*

STATEMENT SHOWING THE NUMBER AND DESCRIPTION OF CIVIL ORIGINAL CASES INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB, DURING THE YEAR 1890.

1a	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	37a	38	39	40	41	42	43	44
	Other suits.																						
								Suits relating to betrothals, marriage, divorce and dower.															
Classl of tribunal.	Suits for declaratory decrees under Chapter VI of the Specific Relief Act.	Other suits under the Specific Relief Act not expressly provided for.	Suits to declare or establish rights to real property, including pre-emption.	Suits to declare or establish personal rights.	Suits for an account other than an account for rent.	Suits relating to religious endowments.	Suits to set aside judgment, contracts, or obligations on the ground of fraud.	Suits connected with betrothals.	Suits for enforcement of matrimonial rights.	Suits for dissolution of marriage.	Suits connected with dower.	Suits for or relating to partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Succession certificate suits.	Inter-pleader suits.	Suits for dissolution of partnership.	Contested suits under Acts X of 1865 and V of 1881.	Any suits not included in the foregoing columns.	Total	Grand total.	Total number of suits shown in columns 2 to 7 which were brought by bankers or shop-keepers against agriculturists.
Honorary Courts	15	3	58	3	4	...	16	67	24	1	23	14	...	2	...	...	...	...	...	...	1,054	10,972	5,102
Paid Sub-divisional Courts { Munsifs... ...	101	28	286	181	...	5	32	1,233	186	3	1,312	71	...	6	4	...	...	6	...	69	13,720	171,352	90,690
Paid Sub-divisional Courts { Tahsil	6	1	27	22	14	...	27	31	2	...	40	21	...	...	...	...	...	...	...	15	4,954	14,956	4,465
Small Cause Courts	...	...	1	1	...	...	...	...	...	...	...	4	...	...	...	...	...	...	...	...	11	20,450	988
District Courts other than Chief Courts of districts	327	139	671	316	20	8	87	211	1,017	24	81	55	...	...	...	2	1	6	5	62	12,475	20,707	3,961
Chief Courts of districts	69	13	54	42	7	2	24	34	245	12	9	19	...	1	1	...	...	15	...	43	1,322	2,232	188
Total ...	518	184	1,097	565	45	15	186	1,576	1,474	40	1,465	184	...	9	5	2	1	27	5	189	33,536	240,669	105,394
Divisional Courts	...	...	...	...	...	...	...	...	2	2	...	...	...	...	...	...	...	...	...	1	5	5	...
Chief Court	...	...	...	...	...	...	...	...	1	4	...	...	...	...	...	...	...	...	...	...	5	5	...
Grand total ...	518	184	1,097	565	45	15	186	1,576	1,477	46	1,465	184	...	9	5	2	1	27	5	190	33,546	240,679	105,394

STATEMENT No. 2.

PART II.

STATEMENT SHOWING THE NUMBER AND DESCRIPTION OF MISCELLANEOUS CASES INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB, DURING THE YEAR 1890.

1	2	3	4	5	6	7	8	9	10	11	12
	UNDER THE CODE OF CIVIL PROCEDURE.										
CLASS OF TRIBUNAL.	Plaints rejected or returned without registration.	Applications for the withdrawal or transfer of a suit or appeal.	Applications under secs. 99, 103, 108, 558 and 560, for the restoration to the file of a suit, appeal or application for execution dismissed on default or decreed *ex-parte*.	Claims to, and objections to the attachment of attached property under secs. 278 and 487.	Complaints under secs. 328, 332, 334 and 335, except when in case of obstruction by a claimant in good faith, the case is under section 331, to be registered as a suit.	Enquiries under section 258, on the application of the judgment-debtor, as to payment to the decree-holder.	Applications under section 401, for permission to sue as a pauper.	Applications under section 592, for permission to appeal as a pauper.	Applications under section 623, for review of judgment.	Proceedings under sections 174 and 643.	Total.
Honorary Courts	110	7	652	413	3	4	20	...	60	...	1,269
Paid Sub-divisional Courts. Munsifs ...	2,971	50	11,160	9,769	52	363	536	12	717	92	25,722
Paid Sub-divisional Courts. Tahsil ...	348	6	938	444	2	3	13	...	88	...	1,842
Small Cause Courts	119	...	539	275	...	12	11	...	168	1	1,125
District Courts other than Chief Courts of districts	1,812	25	1,338	1,580	9	27	356	12	234	3	5,396
Chief Courts of districts	555	134	280	259	...	2	106	13	173	8	1,530
Total ...	5,915	222	14,907	12,740	66	411	1,042	37	1,440	104	36,884
Divisional Courts	362	...	122	...	...	...	...	65	124	...	673
Chief Court	...	...	...	...	...	...	...	...	...	...	...
GRAND TOTAL ...	6,277	222	15,029	12,740	66	411	1,042	102	1,564	104	37,557

1	13	14	15	16	17	18	19	20	21	22	23	24	25
	OTHER MISCELLANEOUS CASES.												
CLASS OF TRIBUNAL.	Cases regarding redemption of mortgage under Regulation I of 1798.	Cases regarding foreclosure of mortgage under Regulation XVII of 1806.	Applications for certificates of guardianship of minors, or of administration of their property under Acts XL of 1858 and IX of 1861, and for the revocation of such certificates.	Applications regarding the care of lunatics' estates, and the guardianship of their persons under Act XXXV of 1858.	Applications for certificates under Act XXVII of 1860.	*Uncontested* applications for probates and letters of administration under Acts X of 1865 and V of 1881, as amended by Act VI of 1889, and applications for the revocation of such probates and letters.	Cases under Succession Certificate Act, VII of 1889.	Other cases connected with the custody and disposal of intestate property.	Cases under section 14 of the Legal Practitioners Act, 1879.	Applications for certificates under section 40 (c) of the Punjab Courts Act.	Cases under the Land Acquisition Act, 1870.	Miscellaneous cases not provided for in the foregoing columns.	Total.
Honorary Courts	...	...	...	...	...	...	..	...	...	...	...	7	7
Paid Sub-divisional Courts. Munsifs ...	...	...	...	...	...	...	...	...	...	...	...	79	79
Paid Sub-divisional Courts. Tahsil ...	...	7	...	...	...	...	...	...	...	...	...	24	31
Small Cause Courts	...	...	...	...	...	...	...	...	...	...	...	...	...
District Courts other than Chief Courts of districts	30	67	54	1	37	14	517	...	...	...	...	85	805
Chief Courts of districts	537	1,463	607	6	175	88	1,755	1	...	...	...	183	4,815
Total ...	567	1,537	661	7	212	102	2,272	1	...	...	...	378	5,737
Divisional Courts	...	...	...	...	...	...	...	...	...	1,915	38	...	1,953
Chief Court	...	...	...	...	...	18	...	...	...	...	...	..	18
GRAND TOTAL ...	567	1,537	661	7	212	120	2,272	1	...	1,915	38	378	7,708

STATEMENT No. 3.

STATEMENT SHOWING THE VALUE OF SUITS INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB, DURING THE YEAR 1890.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
	NUMBER OF SUITS INSTITUTED.																							
	Not exceeding Rs. 10.				*Not exceeding Rs. 50.*				*Not exceeding Rs. 100.*				*Not exceeding Rs. 500.*				*Not exceeding Rs. 1,000.*				*Not exceeding Rs. 5,000.*			
CLASS OF COURT.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.
Honorary Courts	2,761	114	66	8	5,329	162	128	34	1,272	70	76	42	540	181	67	51	15	12	2	4	2	...	...	...
Paid Sub-divisional Courts { Tahsil ...	2,985	1,271	274	99	5,519	1,615	541	138	1,498	697	210	96	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-divisional Courts { Munsifs ...	35,613	1,126	641	220	75,567	2,004	1,853	1,202	26,978	1,360	1,022	902	19,191	1,271	708	762	278	117	60	12	...	...	...	...
Small Cause Courts	5,968	...	...	...	9,830	...	...	...	2,431	...	...	...	2,203	2	2	1	...	...	...	...	7	...	3	...
District Courts other than Chief Courts of districts	935	537	87	29	2,666	1,403	401	177	1,268	1,272	334	301	2,060	3,051	658	468	974	1,344	227	372	306	301	75	54
Chief Courts of districts	4	15	...	...	8	40	2	1	45	41	2	16	80	137	39	45	250	98	21	79	463	306	72	61
Total ...	48,266	3,063	1,068	356	98,919	5,224	2,925	1,552	33,492	3,440	1,644	1,357	24,074	4,642	1,474	1,327	1,517	1,571	310	467	778	607	150	115
Divisional Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Court	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
GRAND TOTAL ...	48,266	3,063	1,068	356	98,919	5,224	2,925	1,552	33,492	3,440	1,644	1,357	24,074	4,642	1,474	1,327	1,517	1,571	310	467	778	607	150	115

STATEMENT No. 3.—*concluded.*

STATEMENT SHOWING THE VALUE OF SUITS INSTITUTED IN THE CIVIL COURTS OF THE PUNJAB, DURING THE YEAR 1890.

Ia	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
	NUMBER OF SUITS INSTITUTED.																			TOTAL VALUE OF SUITS.			
	Not exceeding Rs. 10,000.				*Not exceeding Rs. 1,00,000.*				*Exceeding Rs. 1,00,000.*				*Suits of which the value cannot be fixed.*			*Total.*							
CLASS OF COURT.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.	For money or moveable property.	For land assessed or subject to assessment.	For other immoveable property.	Other suits.
																				Rs.	Rs.	Rs.	Rs.
Honorary Courts	...	...	...	...	...	...	...	...	...	...	...	...	12	11	13	9,919	551	350	152	3,59,967	41,323	19,938	18,392
Paid Sub-divisional Courts. Tahsil ...	...	...	...	...	...	...	...	...	...	...	...	...	1	6	6	10,002	3,584	1,031	339	2,48,479	99,137	35,905	12,866
Paid Sub-divisional Courts. Munsifs ...	...	...	...	...	...	...	...	...	...	...	...	...	170	126	169	157,627	6,048	4,410	3,267	76,78,859	5,60,217	3,09,146	2,61,650
Small Cause Courts	...	...	...	...	...	...	...	...	...	...	...	...	2	1	...	20,439	4	6	1	8,38,266	882	10,575	3,540
District Courts other than Chief Courts of districts ...	16	10	...	...	6	5	...	1	1	...	...	...	410	233	725	8,232	8,333	2,015	2,127	57,00,183	24,90,626	5,27,708	5,46,034
Chief Courts of districts ...	38	23	9	6	22	8	7	8	...	...	4	...	30	37	215	910	698	193	431	20,71,421	10,05,028	19,75,388	6,43,838
Total ...	54	33	9	6	28	13	7	9	1	...	4	...	625	414	1,128	207,129	19,218	8,005	6,317	1,68,97,175	41,97,213	28,78,660	14,86,320
Divisional Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5	...	...	...	5	...	...	...	...
Chief Court	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5	...	...	...	5	...	...	...	...
GRAND TOTAL ...	54	33	9	6	28	13	7	9	1	...	4	...	625	414	1,138	207,129	19,218	8,005	6,327	1,68,97,175	41,97,213	28,78,660	14,86,320

STATEMENT No. 4.

STATEMENT SHOWING THE GENERAL RESULT OF THE TRIAL OF CIVIL CASES IN THE COURTS OF ORIGINAL JURISDICTION IN THE PROVINCE OF THE PUNJAB IN THE YEAR 1890.

PART I.—*Civil suits.*

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
		Number of suits disposed of												Average duration of suits.		
				Without contest.				On reference to arbitration.		With contest.						
Class of court.	Total number of suits before the courts.	Transferred.	Without trial.	Compromised.	Decreed on confession.	Decreed *exparte*.	Dismissed *exparte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.	Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Contested.	Uncontested.	Average number of days the parties or either or any of them had to attend court.
Honorary Courts	12,222	...	2,270	1,880	2,677	1,517	105	150	37	2,191	733	662	27	32	22	2
Paid Sub-divisional Courts { Tahsil	16,463	2	3,608	2,919	2,704	1,460	141	175	43	2,929	1,585	897	25	34	21	3
Paid Sub-divisional Courts { Munsifs	191,104	1	36,804	35,986	30,832	23,473	2,776	540	154	38,372	11,661	10,505	541	30	20	2
Small Cause Courts	21,977	...	2,636	4,025	4,632	4,057	184	91	14	4,167	986	1,185	109	22	16	2
District Courts other than Chief Courts of districts ...	24,852	1	4,176	2,683	2,268	1 668	425	222	52	7,090	3,777	2,490	302	54	34	3
Chief Courts of districts	2,831	3	273	252	239	245	39	42	11	795	488	444	156	66	41	3
Total ...	269,449	7	49,767	47,745	43,352	32,420	3,670	1,220	311	55,544	19,230	16,183	1,160	34	21	3
Divisional Courts	6	...	...	...	...	...	...	...	...	3	1	2	...	144	...	3
Chief Court	6	...	...	...	...	1	1	...	...	1	...	3	2	257	147	3
GRAND TOTAL ...	269,461	7	49,767	47,745	43,352	32,421	3,671	1,220	311	55,548	19,231	16,188	1,162	34	21	3

STATEMENT No. 4.

STATEMENT SHOWING THE GENERAL RESULT OF THE TRIAL OF CIVIL CASES IN THE COURTS OF ORIGINAL JURISDICTION IN THE PUNJAB IN THE YEAR 1890.

PART II.—*Miscellaneous cases.*

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
		Number of suits disposed of.												Average duration of suits.		
				Without contest.				*On reference to arbitration.*		*With contest.*						
Class of court.	Total number of cases before the courts.	Transferred.	Without trial.	Compromised.	Decreed on confession.	Decreed *ex-parte.*	Dismissed *ex-parte.*	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.	Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Contested.	Uncontested.	Average number of days the parties or either or any of them had to attend court.
Honorary Courts	1,352	...	315	69	93	32	9	3	...	490	252	89	11	15	11	2
Paid Sub-divisional Courts { Munsifs	27,969	...	7,279	1,811	1,654	889	337	13	6	8,981	5,068	1,931	48	19	15	2
Paid Sub-divisional Courts { Tahsil	1,910	...	690	110	37	39	17	5	...	640	280	92	...	19	11	2
Small Cause Courts	1,170	...	271	129	23	53	3	...	...	427	217	47	...	15	11	2
District Courts other than Chief Courts of districts ...	6,644	...	2,590	188	142	166	73	17	6	2,048	985	429	11	23	10	2
Chief Courts of districts	6,865	...	1,391	177	167	274	83	2	...	3,515	676	580	41	27	19	2
Total ...	45,910	...	12,536	2,484	2,116	1,453	522	40	12	16,101	7,478	3,168	111	21	15	2
Divisional Courts	2,704	...	1,283	1	2	30	547	...	...	226	558	57	13	47	7	2
Chief Court	18	...	...	...	...	14	...	...	...	...	...	4	1	...	28	1
GRAND TOTAL ...	48,632	...	13,819	2,485	2,118	1,497	1,069	40	12	16,327	8,036	3,229	125	22	14	2

STATEMENT No. 5.

STATEMENT SHOWING THE BUSINESS OF THE CIVIL APPELLATE COURTS IN THE PUNJAB IN THE YEAR 1890.

PART I.—*Appeals from decrees.*

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
					HEARD *ex-parte*.				CONTESTED.								
CLASS OF COURT.	Total number of appeals before the courts.	Transferred to other districts.	Decisions confirmed, section 551, Civil Procedure Code.	Dismissed for default or otherwise not prosecuted.	Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.	Pending.	Number pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Objections allowed.
Appellate Courts other than Chief Courts of districts	1,778	2	345	102	40	11	13	16	528	199	237	244	41	4	29	16	6
Chief Appellate Courts of districts	8,862	40	1,451	364	166	39	58	34	3,035	656	1,314	765	940	111	33	77	21
Total ...	10,640	42	1,796	466	206	50	71	50	3,563	855	1,551	1,009	981	115	32	93	27
Divisional Courts—Appeals from original decrees	10,303	44	1,553	407	302	17	43	23	3,135	509	1,619	646	2,005	911	117	112	42
Chief Court ... { Ditto	208	4	11	13	...	...	...	...	43	11	32	3	91	86	584	2	...
Chief Court ... { Ditto appellate decrees	2,478	2	459	31	...	...	2	...	412	83	329	67	1,093	887	358	6	1
GRAND TOTAL ...	23,629	92	3,819	917	508	67	116	73	7,153	1,458	3,531	1,725	4,170	1,999	95	213	70

PART II.—*Miscellaneous.*

Appellate Courts other than Chief Courts of districts	183	2	54	16	7	...	1	1	28	9	19	45	1	...	24	...	...
Chief Appellate Courts of districts	725	8	112	37	15	1	13	16	176	20	116	130	81	6	29	...	...
Total ...	908	10	166	53	22	1	14	17	204	29	135	175	82	6	28	...	...
Divisional Courts—Appeals from original orders	753	17	128	43	47	2	18	2	166	16	106	86	122	40	86	...	...
Chief Court ... { Ditto	122	14	33	4	...	...	...	...	22	1	15	11	22	11	172	...	...
Chief Court ... { Ditto appellate orders	138	1	44	2	...	...	...	...	14	1	13	15	48	28	130	...	...
GRAND TOTAL ...	1,921	42	371	102	69	3	32	19	406	47	269	287	274	85	65	...	...

STATEMENT No. 6.

STATEMENT SHOWING THE RESULT OF PROCEEDINGS ON APPLICATIONS FOR THE EXECUTION OF THE DECREES OF THE CIVIL COURTS IN THE PUNJAB IN THE YEAR 1890.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Class of court.	Total number of applications to execute decrees for disposal.	Applications disposed of						Pending at the close of the year.	Pending over three months.	Pending over six months.	Value of money decrees in execution.	Realizations in decrees for money.			
		By transfer under section 223.	Satisfaction obtained in full.		Satisfaction obtained in part.		Wholly infructuous.					Amount realized.			
			Through the court.	Under section 258.	Through the court.	Under section 258.						Without issue of coercive process.	After issue but without execution of process.	With the issue of process.	Total realized.
											Rs.	Rs.	Rs.	Rs.	Rs.
Honorary Courts ...	5,361	3	1,516	100	1,043	17	2,208	474	36	17	3,16,334	8,025	21,852	58,674	88,551
Paid Sub-divisional Courts. Tahsil ...	8,036	11	2,860	104	1,153	26	3,195	687	51	11	2,35,763	7,026	18,386	62,772	88,184
Paid Sub-divisional Courts. Munsifs ...	150,773	619	34,808	449	27,660	531	69,170	17,536	1,991	873	67,68,662	1,52,689	4,32,306	15,80,412	21,65,407
Small Cause Courts ...	16,092	654	3,008	1,101	4,276	1,349	4,765	939	5	3	5,47,578	72,563	40,955	1,81,994	2,95,512
District Courts other than Chief Courts of districts ...	18,381	78	5,066	61	2,815	24	8,116	2,221	290	174	20,51,145	51,239	97,122	4,48,563	5,96,924
Chief Courts of districts ...	7,256	130	2,111	56	1,008	33	2,734	1,184	256	217	40,19,743	1,22,808	4,63,011	6,76,458	12,62,277
Total ...	205,899	1,495	49,369	1,871	37,955	1,980	90,188	23,041	2,629	1,295	1,39,39,225	4,14,350	10,73,632	30,08,873	44,96,855

STATEMENT No. 6.—*concluded.*

STATEMENT SHOWING THE RESULT OF PROCEEDINGS ON APPLICATIONS FOR THE EXECUTION OF THE DECREES OF THE CIVIL COURTS IN THE PUNJAB IN THE YEAR 1890.

1a.	17	18	19	20	21	22	23	24	25	26	27	28	29	30
	Number of applications.													
Class of court.	On which processes were issued but not executed.	On which the judgment-debtor was arrested but released without imprisonment.	On which the judgment debtor was imprisoned.	*On which moveable property*		*On which*				*On which possession was given*		On which specific performance was enforced.	On which partition was effected.	On which execution was otherwise effected.
				Was attached but subsequently released.	Was sold.	Immoveable property was attached but subsequently released.	Hereditary or joint acquired property was sold.	Other immoveable property was sold.	Action was taken under section 305 or section 306, Civil Procedure Code.	Of moveable property.	Of immoveable property.			
Honorary Courts ...	1,466	70	2	1,202	407	190	1	67	10	1	448	104	...	...
Paid Sub-divisional Courts. { Tahsil ...	1,860	72	10	1,902	287	122	...	52	5	15	670	12	15	...
Paid Sub-divisional Courts. { Munsifs ...	41,350	1,846	235	31,930	5,887	6,139	40	1,701	475	177	3,445	66	28	...
Small Cause Courts ...	1,457	333	171	1,233	412	41	...	...	...	16	...	...	...	...
District Courts other than Chief Courts of districts ...	3,624	485	63	3,480	1,033	678	4	219	84	96	1,718	62	31	2
Chief Courts of districts ...	1,533	76	32	880	341	257	1	108	29	53	833	47	34	34
Total ...	51,290	2,882	513	40,627	8,367	7,427	46	2,147	603	358	7,114	291	108	36

STATEMENT No. 7.

PROCEEDINGS IN INSOLVENCY UNDER CHAPTER XX OF THE CIVIL PROCEDURE CODE IN THE PUNJAB, DURING THE YEAR 1890.

PART I.—SHOWING THE NUMBER AND RESULT OF APPLICATIONS UNDER SECTION 344, AND THE NUMBER OF INSOLVENTS BEFORE THE COURTS.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
	APPLICATIONS FOR A DECLARATION OF INSOLVENCY.															PERSONS DECLARED TO BE INSOLVENTS.								
	NUMBER OF APPLICATIONS DEALT WITH.						APPLICATIONS DISPOSED OF.									NUMBER OF INSOLVENTS BEFORE THE COURTS.				DISPOSED OF.				
		Filed during the year.							Granted.		Rejected.											Discharged.		
		By judgment-debtors.																						
CLASS OF COURT.	Pending at the close of the previous year.	Under arrest or imprisonment.	Not under arrest or imprisonment.	By decree-holders.	Received by transfer from other districts.	Total.	Transferred to other districts.	Withdrawn or otherwise not prosecuted.	A Receiver being appointed.	A Receiver not being appointed.	Penal proceedings under section 359 not being taken.	Sentence of imprisonment being passed under section 359.	Applicant being sent to the Magistrate to be dealt with.	Total.	Pending at the close of the year.	Remaining at the close of the previous year.	Declared to be insolvents during the year.	Received by transfer.	Total.	Transferred.	Died.	Under section 351.	Under section 355.	Remaining at the close of the year.
Courts other than District Courts specially empowered under section 360, Civil Procedure Code ...	38	11	96	...	...	145	...	35	19	19	32	1	...	106	39	60	37	...	97	...	...	16	17	64
District Courts	55	11	150	1	...	217	...	68	20	18	61	...	...	167	50	23	37	...	60	...	...	18	11	31
TOTAL ...	93	22	246	1	...	362	...	103	39	37	93	1	...	273	89	83	74	...	157	...	...	34	28	95

STATEMENT No. 7.

PROCEEDINGS IN INSOLVENCY UNDER CHAPTER XX OF THE CIVIL PROCEDURE CODE, IN THE PUNJAB, DURING THE YEAR 1890.

PART II.—SHOWING THE NUMBER OF ESTATES IN THE HANDS OF RECEIVERS AND THE PROGRESS MADE IN WINDING UP.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Number of insolvents' estates in the hands of receivers.				*Amount of creditors' claims dealt with during the year*					*Amount of insolvents' assets realized and outstanding.*			
CLASS OF COURT	Pending at the close of the previous year.	Placed in charge of a receiver during the year	Number of estates in regard to which proceedings were finally closed during the year.	Pending at the close of the year.	Unsatisfied and pending at the close of the previous year.	Admitted	Disallowed.	Satisfied	Unsatisfied and pending at the close of the year.	Amount of realized assets in the hands of receivers at the close of the previous year.	Gross amount realized during the year.	Total amount of disbursements.	Amount remaining in the hands of receivers at the close of the year.
					Rs.	Rs.	Rs.	Rs	Rs	Rs	Rs.	Rs.	Rs.
Courts other than District Courts specially empowered under section 360, Civil Procedure Code	50	20	16	54	4,88,394	36,887	24,661	11,706	4,88,697	19,790	5,893	12,732	12,951
District Courts	23	16	11	28	71,014	53,738	58,018	4,044	99,284	13,919	5,738	5,913	7,047
TOTAL ..	73	36	27	82	5,59,408	90,625	82,679	15,750	5,87,981	33,709	11,631	18,645	19,998

STATEMENT No. 8.

STATEMENT SHOWING THE USE OF ASSESSORS IN THE CIVIL COURTS OF THE PUNJAB, DURING THE YEAR 1890

1	2	3	4	5	6
			ASSESSORS' TRIALS.		
				Number of cases in which the Judge differed from	
CLASS OF COURT	Established or average number of assessors in each case.	Number of cases tried with assessors	Number of cases in which the Judge agreed with the assessors.	One assessor	Both assessors.
Divisional Courts acting under Act X of 1870	2	36	16	10	10

STATEMENT No. 9.

STATEMENT SHOWING THE NUMBER OF DAYS THE SENIOR JUDGE AND EACH OF THE JUDGES OF THE CHIEF COURT, PUNJAB, SAT IN COURT AND AT CHAMBERS IN THE COURT HOUSE DURING THE YEAR 1890.

1	2	3	4	5		6
Name of Judge	Portion of year during which the Judge was as such present on duty.	Number of days on which the Judge sat in Court for hearing causes.	Number of days (if any) not included in col. 3, on which the Judge sat in the Court House for the transaction of administrative business.	AVERAGE LENGTH OF DAILY SITTINGS. (a). For hearing causes (column 3).	(b) For transaction of administrative business (column 4).	REMARKS.
Sir Meredyth Plowden	Whole year	191	11	7 hours.	9 hours.	There is ordinarily one meeting of the Judges in each month for the transaction of the more important administrative business. The current administrative business is transacted from time to time, or daily, by the Judges. The figures in columns 4 and 5 (b) show only the number of meetings of the Judges and their estimated average duration. The time spent by each Judge on current administrative business cannot be ascertained, nor is it always transacted in the Court House. The holidays on which Judges came to the Court House to write judgments, &c., are not shown.
Mr. Justice Roe	1st January to 13th April, and 1st November to 31st December 1890.	102	6	Do.	Do.	
Mr. Justice Frizelle	1st January to 5th March, and 22nd November to 31st December 1890.	57	...	Do.	...	
Mr. Justice Benton	Whole year	189	8	Do.	6 hours.	
Mr. Justice Rivaz	Whole year	176	5	Do.	Do.	
Mr. Justice Stogdon	6th March to 21st November 1890.	143	1	Do.	Do.	
Mr. Justice Beachcroft	14th April to 31st October 1890.	111	1	Do.	Do.	

SUPPLEMENTARY STATEMENT A.

STATEMENT SHOWING THE VALUE OF THE SUITS INSTITUTED IN THE DISTRICTS OF THE PUNJAB, FOR THE LAST THREE YEARS.

District.	1888.	1889.	1890.
	Rs.	Rs.	Rs.
Dehli	12,43,490	18,66,270	20,22,477
Gurgaon	2,19,502	2,49,669	1,93,755
Rohtak	2,60,399	3,14,861	2,64,752
Karnal	4,95,192	2,71,360	2,39,526
Amballa	10,74,685	10,75,344	10,11,555
Ludhiana	7,44,162	8,44,298	6,39,163
Simla	3,96,526	3,00,460	2,97,954
Jullundur	11,86,081	10,94,259	8,96,869
Hoshiarpur	10,00,379	9,30,732	11,47,206
Kangra	3,70,360	3,96,001	4,05,870
Kullu	23,721	32,521	35,286
Amritsar	17,25,122	14,54,169	13,74,447
Gurdaspur	11,60,126	11,23,377	11,48,839
Sialkot	14,66,882	12,85,100	11,51,029
Gujranwala	6,86,582	8,44,814	42,30,140
Lahore	11,12,742	15,30,108	26,80,211
Ferozepore	11,36,854	10,08,513	8,66,583
Hissar	2,66,892	3,27,010	2,38,976
Mooltan	7,02,215	8,67,986	7,89,346
Jhang	3,86,936	3,81,882	3,55,526
Montgomery	2,43,768	2,59,571	3,71,924
Muzaffargarh	3,35,176	2,83,066	2,97,225
Jhelum	6,69,210	5,71,771	4,48,177
Gujrat	7,08,599	5,76,919	4,76,726
Rawalpindi	8,46,649	8,49,965	12,27,558
Shahpur	3,62,449	3,84,698	4,91,826
Dera Ismail Khan	4,67,747	3,86,769	6,06,908
Dera Ghazi Khan	2,24,120	2,17,486	2,28,404
Bannu	4,49,929	2,86,643	2,75,474
Peshawar	5,84,583	4,00,025	6,47,808
Hazara	4,00,763	1,65,004	2,66,285
Kohat	1,49,988	1,24,450	1,31,543
Total ...	2,11,01,829	2,07,05,101	2,54,59,368